

# PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

# SECOND SESSION OF THE THIRD LEGISLATIVE COUNCIL

# Volume XLI (Nos. 1 to 10).

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#### CORRIGENDUM.

Volume XLI, No. 1, page 70, of the Proceedings of the Legislative Council, dated 13th March 1928.

In the fourth line from the bottom, for the word 'agreements', read 'arrangements'.

9th May 1928.

R. V. KRISHNA AYYAR, Secretary to the Legislative Council.





# Governor of Madras.

His Excellency the Rt. Hon. Viscount Goschen of Hawkhurst, J.C.I.E.. C.B.E. Took his seat on 14th April 1924.

# Members of the Executive Council.

1. The hon. Sir NORMAN MARJORIBANKS, K.C.L.E., C.S.I., I.C.S., Member in charge of Revenue. Took his seat on 27th December 1924 and is in charge of the following portfolios:—

# 1.—Provincial Subjects.

1. Land Revenue administration as described under the following heads, namely:—

(a) Assessment and

collection of land revenue.

- (b) Maintenauce of land records; survey for revenue purposes; records of rights.
- (c) Laws regarding land tenures; relations of landlords and tenants; collection of rents.
- (d) Court of Wards, encumbered and attached estates.
- (e) Land improvement and agricultural loans.
- (f) Colonization and disposal of crown lands.
- (g) Management Government estates.
- (h) Panchayat forests.
  2. Water-supplies, irrigation and canals, drainage and embankments; water storage and water power.
- 3. Inland waterways including shipping and navigation thereon.

 Economic condition including wages and prices and faminerelief.

BECRETARY

- 5. Land acquisition, excepting notifications under subsection (1) of section 4 and declarations under subsection (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said subsections appertains to a transferred subject.
- 6. Development of mineral resources.
- 7. Protection of wild birds and animals.
- 8. Agency tracts.
- 9. Pounds and prevention of cattle
- 10. Elections for Indian and Provincial legislatures.
  - 11. Fortnightly reports and preliminary special reports to the Government of India.
- 12. General service questions.
- 13. Provincial Gazetteers.
- 14. Office procedure.
- 15. Secretariat.
- 16. Yeomiahs, inams and hereditary pensions.
- 17. Matters of a general nature not allocated elsewhere.

# II .- Central Subjects.

- 1. Geological survey.
- Mineral development.
   Botanical survey.
- 4. Survey of India.
- 5. Zoological survey.
- 6. Meteorology.
- 7. Census and Statistics

- 8. All-India services.
  - 9. Territorial changes.
  - 10. Immovable property in possession of the Governor-General in Council.
- 11. Public Services Commission.
- 12. Reforms.

2. The hon. Khan Bahadur Muhammad Usman Sahib Bahadur. Uome Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios:—

# I.—Provincial Subjects.

- 1. Police, including Railway
  Police and C.I.D.
- 2. Regulation of betting and gambling.
- 3. Prevention of cruelty to animals.
- 4. Control of poisons.
- 5. Control of vehicles.
- Control of dramatic performances and cinematographs.
- 7. Control of newspapers, books and printing presses.
- 8. Laccadives.
- 9. European vagrancy.
- 9. European vagrancy. 10. European and Anglo-Indian
- education.

  11. Regulation of medical and other professional qualifications and standards.

- 12. Government Houses; Staff and equipment of His Excellency the Governor.
  - 13 Stationery and Government Presses.
  - 14. Industrial matters included under the following heads:--
    - (a) Factories.

      (b) Settlement of labour
      - disputes.
      - (c) Boilers.
    - (e) Smoke nuisances.
    - (f) Welfare of labour including depressed
- 15. Crimical tribes.

# II.—Central Subjects.

- 1. Control of petroleum and explosives.
- 2. Central police organization.
- 3. Arms and ammunition.
- 4. Emigration and immigration.
- 5. Pilgrimage to the Hedjaz.
- 3. The hon. Mr. T. E. Moir, c.s., c.i.e., I.C.S., Finance Member. Took his seat on 27th April 1925 and is in charge of the following portfolios:—

# I.—Provincial Subjects.

- 1. Provincial finance.
- 2. Pensions.
- 3. Local Fund audit.

- 4. Preservation and translation of
- ancient manuscripts.
  5. Central Record office.

# II .- Central Subjects.

1. (a) Defence of India.

(b) Naval and Military works and cantonments.

- 2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hed-
- 3. Relations with States in India.
- 4. Political charges.
- 5. Communications. 6. Shipping and navigation.

7. Lighthouses.

- 8. Port quarantine and marine
- hospitals.
- 9. Posts and telegraphs and telephones, including wireless installations.

- 10. Sources of all-India revenues.
- 11. Currency and coinage. 12. Public debt of India.

13. Savings banks.

14. Indian Audit Department. 15. Commerce, including banks

and insurance. 16. Trading companies and other

- associations. 17. Opium (central questions
- regarding-). 18. Central research.

19. Ecclesiastical.

20. Archæology.

- 21. Regulation of ceremonials, titles, order of precedence and civil uniform.
- 22. Subjects not allocated elsewhere.

4. The hon. Mr. A. Y. G. CAMPBELL, C.S.L., C.L.E., C.B.E., V.D., I.C.S., Law Member. Took his seat on 13th March 1928 and is in charge of the following portfolios :-

# I .- Provincial Subjects.

1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province. 2. Provincial law reports.

3. Administrator-General and

Official Trustees. 4. Escheats.

5. Coroners.

- 6. Treasure trove.
- 7. Non-judicial aud iudicial stamps.

8 Prisons and prisoners.

matters included 9. Industrial under the following head: Electricity, including hydroelectric schemes

10. Forests (including cinchona) except panchayat forests.

11. Minor ports.

# II .- Central Subjects.

1. Civil law.

2. Inventions and designs.

3. Copyright.

4. Criminal law.

5. Major ports.

#### Ministers.

- 1. The hon. Dr. P. Subbarayan. Took his seat on 4th December 1926 and is in charge of the following portfolios:-
  - (1) Education (other than European and Anglo-Indian education).
  - (2) Libraries, Museums and Zoological Gardens.
- (3) Light and feeder Railways and Tramways within municipal areas.
- (4) Local Self-Government including village panchayats.
- (5) Religious and Charitable Endowments.
- 2. The hon, Mr. S. MUTHIAH MUDALIYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios:
  - and other articles.
  - (2) Excise.
  - (3) Registration. (4) Medical administration.
  - (1) Adulteration of foodstuffs | (5) Pilgrimages within British India. (6) Public health and sanitation and
    - vital statistics. (7) Weights and measures.
- 3. The hon. Mr. M. R. SETURATNAM AYYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :-
  - (1) Agriculture.
  - (2) Civil Veterinary Depart-

WIT WISO LO G W TRUTH ALONE

- (3) Co-operative societies.
- (4) Development of industries.

Galay ONTO

- (5) Public Works (buildings, roads, ferries, roreways, etc ).
- (6) Fisheries

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Rao Bahadur C. V. S. Narasimha Raju Garu, B.A., B.L.

Deputy President.

Dr. (Mrs.) S. MUTHULAKSHMI REDDI.

Panel of Chairmen.

Mr. MAHMUD SCHAMNAD.

Rao Bahadur B. Muniswami Nayupu.

Mr. C. V. VENEATARAMANA AYYANGAR.

Secretary to the Council.

M.R.Ry. Rao Bahadur R. V. Krishna Ayyar Avargal, B.A., M L.

Assistant Secretary to the Council.

M.R.Ry. C. Satagopa Achariyar Avargal, B.A.

# ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1. Abbas Ali Khan Bahadur, Bar at-Law.	Madura and Trichinopoly cum Sri- rangam, Muhammadan Urban.
2. Abdul Hamid Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
3. Abdul Hye Sahib Bahadur, K.	Ceded Districts, Muhammadan
4. Abdul Razack Sahib Bahadur, Khan Bahadur S. K.	
5. Abdul Wahab Sahib Bahadur, Munshi.	Northern Circars, Muhammadan Rural.
6. Adinarayana Chettiyar, Barat- Law, T.	North Arcot, NM. Rural.
7. Anantakrishna Ayyar, Rao Bahadur, C. V.	NOMINATED.
8. Anjaneyulu, P	Guntur, NM. Rural.
9. Appavn Chettiyar, U. D	Salem, NM. Rural.
10. Ari Gowder, H. B	The Nilgiris, NM. Rural.
11. Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Central Districts (Indian Christian).
12. Arpudaswami Udayar, 8	Tanjore and Trichinopoly cum Madura (Christian).
13. Basheer Ahmad Sayeed Sahib Babadur.	Central Districts, Muhammadan Rural.
14. Bhaktavatsulu Nayudu, P	Madras City, NM. Urban.
15. Bhanoji Rao, A. V	Vizagapatam City, NM. Urban.
16. Bheemayya, J	NOMINATED.
17. Biswanath Das Mahasayo, Sriman.	Ganjam, NM. Rural.
18. Boag, c.i.e., I.C.S., G. T	NOMINATED.
19. Campbell, c.s.i., c.i.e., I.C.S., The hon. Mr. A. Y. G.	EX-OFFICIO.
20. Chidambaranatha Mudaliyar,	Tinnevelly, NM. Rural.
21. Congreve, C. R. T	Madras Planters-Plantin
22. Cotterell, c.r.E., I.C.S., C. B	NOMINATED.
23. Davis, J. A	Anglo-Indian.
24. Dorai Raja, Rajkumar S. N	NOMINATED.
25. Ellappa Chettiyar, Rao Bahadur 8.	Salem, NM. Rural.
26. Ethirajulu Nayudu, Diwan Bahadur P. C.	Guntur, NM. Rural.
27. Evans, c.s.i., I.C.S., F. B	NOMINATED.
28. Foulkes, R	NOMINATED.
29. Gangadhara Siva, M. V	NOMINATED.
	NOMINATED.
31. Gopala Menon, C	Southern India Chamber of Com-

merce.

NOMINATED.

Madras City, N.-M. Urban. NOMINATED.

32. Govindaraja Mudaliyar, C. S. ... 33. Guruswami, Rao Sahib L. C. ...

34. Hampayya, Rai Sahib M.

Name of member.	Name and class of constituency.
35. Harisarvottama Rao, G 36. John, V. Ch	Kurnool, NM. Rural. Northern Districts (Indian Christian).
37. Kaleswara Rao, A 38. Kameswara Rao Nayudu, V 39. Karant, K. R	Kistna, NM. Rural. Ganjam, NM. Rural. South Kanara, NM. Rural.
41. Kesava Pillai, c.i.e., Diwan Bahadur P.	
42. Khadir Mohidin Sahib Bahadur, Muhammad.	East Coast, Muhammadan Rural.
43. Koti Reddi, Barat-Law, K	Cuddapah, NM. Rural. NOMINATED.
45. Krishnan Nayar, Diwan Bahadur M,	Malabar, NM. Rural.
46. Krishnaswami Nayakar, K. V. 47. Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Kri-hnayachendra Bahadur Varu).	Chingleput, NM. Rural, Nellore, NM. Rural,
48. Kumaraswami Reddiyar, Diwan	Tinnevelly, NM. Rural.

Bahadur S.

Sahib

49. Kuppuswami, J.

50. Luker, A. T. 51. Madhavan Nayar, K.

52. Mahmud Schamnad

Bahadur (Chairman). 53. Mallayva, B. S. 54. Manikkavelu Nayakar, M. A. ...

55. Marjoribanks, K.C.I.E., I.C.S., The hon, Sir Norman.

56. Marudavanam Pillai, C. 57. Meera Ravuttar Bahadar. K. P. V. S. Muhammad

58. Moidoo Sahib Bahadur, T. M. 59. Moir, C.S.I., C.T.E., I.C.S.,

hon. Mr. T. E. 60. Muniswami Nayudu, Bahadur B. (Chairman).

61. Muniswami Pillai, V. I. 52. Muppil Nayar of Kavalappara alias Kumaran Raman

53. Murugappa Chettiyar, Diwan Bahadur A. M. M.

64. Muthiah Mudaliyar, The hon. Mr. S. (Minister).

65. Muthulakshmi Reddi, Dr. (Mrs.) (Deputy President).

66. Muthuranga Mudaliyar, C. N. 67. Nagan Gowda, R.

68 Nanjappah Bahadur, Subadar-Major S. A.

Guntur, N.-M. Rural.

Madras Trades Association. Malabar, N.-M. Rural

South Kanara, Muhammadan Rural. Madras City, N.-M. Urban.

North Arcot, N.-M. Rural. EX-OFFICIO.

Tanjore, N.-M. Rural. Madura cum Trichinopoly, Muhama madan Rural. Malabar, Muhammadan Rural.

Chittoor, N.-M. Rural.

NOMINATED.

EX-OFFICIO.

West Coast Landholders.

Ramnad, N.-M. Rural. Tanjore, N.-M. Rural,

NOMINATED.

Chingleput, N.-M. Rural,

NOMINATED, NOMINATED.

	Name of member.	Name and class of constituency.
69.	Narasimha Raju, The hon. Rao Bahadur C. V. S. (President).	Vizagapatam, NM. Rural.
	Narayana Raju, D Narayana Rao, Mothay	Godavari West, NM. Rural. Godavari West, NM. Rural.
	Narayanan Chettiyar, Al. Ar	Nattukkottai Nagarathars' Associa-
73.	Narayanan Nambudiripad, Rao Bahadur O. M.	NOMINATED.
75, 76, 77, 78,	Narayanaswami Pillai, T. M Obi Reddi, C Parasurama Rao Pautalu, A Parthasayathi Ayyangar, C. R. Patro, Kt., Rao Bahadur Sir A. P.	Trichinopoly, NM. Rural Anautspur, NM. Rural, Guddapah, NM. Bural, Chittoor, NM. Rural, Ganjam, NM. Rural.
79. 80.	Premayya, G. R Raja of Jeypore (Maharaja Sri Ramachandra Deo).	NOMINATED. NOMINATED.
81.	Raja of Panagal, K.C.I.E. (Sir P. Ramarayaningar).	North Central Landholders.
82.	Raja of Ramnad (Bhaskara Rajarajeswara Setupathi alias Muthuramalinga Setupathi).	Southern Landholders
84. 85. 86. 87.	Rajan, P. T.  Ramachandra Padayachi, K.  Ramachandra Reddi, B.  Ramanath Goenka  Ramasomayajulu, C.  Ramaswami Ayyar, U.	Madura, NM. Rural, South Arcot, NM. Rural Nellors, NM. Rural, NOMINATED, Cocanada City, NM. Urban, Trichinopoly cum Sriraugam, NM. Urban.
	Ramjee Rao, V Ranganatha Mudaliyar, A	NOMINATED. Bellary, NM. Rural.
91.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.	Coimbatore, NM. Rural.
93. 94. 95. 96.	Sahajanandam, Swami A. S Saldanka, J. A Sami Venkatachalam Chetti Sarabha Reddi, K Satyamurti, S. Seturatnam Ayyar, The hon. Mr. M. R. (Minister).	NOMINATED. West Coast, Indian Christian, Madras City, NM. Urban, Kurnool, NM. Rural. Madras University. Trichinopoly, NM. Rural.
99.	Shetty, A. B Simpson, Sir James, Kt Sitarama Reddi, Rao Bahadur K.	South Kanara, NM. Rural. Madras Chamber of Commerce South Arcot, NM. Rural.
102. 8 103. 8 104. 8	Siva Raj, B.A., B.L., N Siva Rao, P Sivasubrahmanya Ayyar, K. S. Elater, C.M.G., C.E., I.C.S., S. H. Soundarapandia Nadar, W. P. A.	NOMINATED, Bellary, NM. Rural, Tanjore, NM. Rural, NOMINATED, NOMINATED,

Name of member

	Name of member.	Name and class of constituency.
107. 108	Srinivasa Ayyangar, R. Srinivasa Ayyangar, T. O Srinivasan, Rao Sahib R Subbarayan, The hon Dr. P. (Zamindar of Kumaramangalam) (Minister).	South Arcot, NM. Rural, Ramnad, NM. Rural, NOMINATED, South Central Landholders.
110. 111.	Subrahmanya Moopanar, S Subrahmanya Pillai, Chavadi K.	NOMINATED. Tinnevelly cum Palamcottah, NM. Urban.
113.	Swami, Barat-Law, K. V. R. Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.	East Godavari, NM. Rural. Bamnad cum Tinnevelly, Muham- madan Rural.
115.	Tajudin Sahib Bahadur, Syed Tampoe, I.C.S., A. Mc.G. U	Tanjore, Muhammadan Rural. NOMINATED.
	Thomas, Daniel	Ramnad cum l'innevelly, Indian Christian.
118.	Tulasiram, L. K. Uppi Sahib Bahadur, K. Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad.	Madura City, NM. Urban. Malabar, Muhammadan. EX OFFICIO.
	Vanavudaiya Goundar, S. V Venkatapati Raju, P. C	Coimbatore, NM. Rural. Vizagapatam, NM. Rural.
122. 123.	Venkatarama Ayyar, K. R. Venkataramana Ayyangar, C. V. (Chairman).	Madura, NM. Rural. Coimbatore, NM. Rural.
126.	Venkatarangam Nayudu, C Venkataratnam, B Venkiah, S Watson, I.C.S., H. A Wright, W. O	North Arcot, NM. Rural, East Godavari, NM. Rural, NOMINATED, NOMINATED, European,
129.	Zamindar of Gollapalli (Sriman- narayana Appa Rao Bahadur Garu, Meka).	Northern Landholders, II.
130.	Zamindar of Kallikota (Sri Ramachandra Mardaraja Deo).	Northern Landholders, I.
181.	Zamindar of Mirzapuram (Mirzapuram Raja Garu alias Venkataranaya Appa Rao Rahadar Garu)	Kistua, NM. Rural.

132. Zamindar of Seithur (Vadamalai Madura, N.-M. Raral. Tiruvanatha Sevuga Pandiya

# SPECIAL MEMBERS.

133. Meston, Rev. Dr. W. NOMINATED for Bills to amend the Madras University Act. NOMINATED for Bills to amend 134. Ramalinga Reddi, C. ... the Andhra University Act. NOMINATED for Bill to amend 135, Smith, W. E. the Madras University Act.

Bahadur Garu).

Tevar Avargal).

# PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

#### OFFICIAL REPORT.

Second Session of the Third Legislative Council under the Government of India Act, 1919.

#### VOLUME XLI

#### Tuesday, the 13th March 1928.

The House met at 11 o'clock, the President (the hon. Rao Bahadur C. V. S. Narasımha Raju Garu) in the Chair.

PRESENT

Marjoribanks, c.s.I., K.C.I.E., I.C.S., The hon. Sir Norman. Usman Sahib Bahadur, The hon. Khan Bahadur Muhammad. Moir, c.s.i., c.i.e., I.C.S., The bon. Mr. T. E. Campbell, C.S.I., C.I.E., C.E.E., V.D., I.C.S., The hon. Mr. A. Y. G. Subbarayan, The hon. Dr. P. Abdul Razack Sahib Bahadur, Khan Bahadur S. K. Adinarayana Chettiyar, Mr. T. Anantakrishna Ayyar, Rao Bahadur C. V. Anjaneyulu, Mr. P. Appavu Chettiyar, Mr. C. D. Ari Gowder, Mr. H. B. Arogyaswami Mudaliyar, Diwan Bahadur R. N. Arpudaswami Udayar, Mr. S. Basheer Ahmad Sayeed Sahib Bahadur. Bhaktavatsulu Nayudu, Mr. P. Bhaemayaa, Mr. J. Biswanath Das Mahasayo, Sriman, Boaz, c.r.e., I.C.S., Mr. G. T. Chidambaranatha Mudaliyar, Mr. T. K Cotterell, c.r.e., I.C.S., Mr. C. E. Cotterent, C. L. A.
Davis, Mr. J. A.
Dorai Raja, Mr. S. N.
Ethirajula Nayudu, Diwan Bahadur P. C.
Evans, C.S.I., I C.S., Mr. F. B. Foulkes, Mr. R. Gangadhara Siva, Mr. M. V. Gnanavaram Pillai, Mr. P. J. Gopala Menon, Mr. C. Govindaraja Mudaliyar, Mr. C. S. Guroswami, Rao Sahib L. C. Hamid Khan Sahib Bahadur, Abdul. Hampayya, Rai Sahib M. Harisarvottama Rao, Mr. G. John, Mr. V. Ch. Kaleswara Bac, Mr. A.

Karant, Mr. K. R. Kay, Kenneth. Kesava Pillai, c.i. E., Diwan Babadur P. Khadir Mohidin Sahib Bahadur, Muhammad. Krishnan, Mr. K. Krishnan Nayar, Diwan Bahadur M. Kuwara Raja of Venkatagiri. Kumaraswami Reddiyar, Diwan Bahadur S. Luker, Mr. A. T. Madhayan Nayar, Mr. K. Mallayya, Dr. B. S. Manikkavelu Nayakar, Mr. M. A. Marathavanam Pillai, Mr. C. Meera Ravuttar Bahadur, Muhammad. Moidoo Sahib Bahadur, T. M. Muniswami Nayudo, Reo Bahadur B. Muniswami Pillai, Mr. V. I. Muppil Nayar of Kavalappara, Mr. Murugappa Chettiyar, Diwan Murugappa Chettiyar, A. M. M. Mothiah Mudaliyar, Mr. S Buhator Muthalakshmi Reddi, Dr. (Mrs.). Muthuranga Mudaliyar, Mr. C. N. Nagan Gowda, Mr. R. Nanjappa Bahadur, Subadar-Major S. A. Narayana Raju, Mr. D. Narayana Rao, Mothay. Narayanan Chettiyar, Mr. Al. Ar. Narayanaswami Pillai, Mr. T. M. Parasurama Rao Pantulu, Mr. A. Parthasarathi Ayyangar, Mr. C. R. Patro, Kt., Rao Bahadur Sir A. P. Raja of Panagal, K.C.I.E. Raja of Ramnad. Rajan, Mr. P. T. Ramachandra Padayachi, Mr. K. Ramachandra Reddi, Mr. B Ramanath Goenka, Mr. Ramasomayajulu, Mr. C.

# 13th March 1928] Ramjee Rao, Mr. V.

#### PRESENT-oont.

Ranganatha Mudaliyar, Mr. A.
Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
Saldanha, Mr. J. A.
Saldanha, Mr. J. A.
Sanil Venkatachalam Chetti, Mr.
Sheity, Mr. A. B.
Simpson, Sir James, Kr.
Sitarama Reddi, Rao Bahadur K.
Sitarama Rado, Mr. N.
Siva Rao, Mr. P.
Sivasubrahumatara, I. (G.S., Mr. S. H.
Soundarapaudia Nadar, Mr. W. P. A.
Srinivasa Ayyangar, Mr. T. O.
Srinivasan Ayyangar, Mr. T. O.
Srinivasan Rao Sabiba.

Subrahmenya Moopanar, Mr. S.

Schrahmenry Billai, Chavadi K.
Swani, Mr. K. V. H.
Syed Ibrahim Sahb Bahadur, Nattam Dubath
Kadir Sahi,
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. M. M.G. C.
Thomas, Mr. Daniel.
Tulistram, Mr. L. K. Mr. K. R.
Venkataramann, Mr. L. K. Mr. C. V.
Venkataramann, Mr. C. V.
Venkataramann, Mr. C. V.
Venkataramann, Mr. C.
Venkich, Mr. S.
Weight, Mr. W. O.
Venkich, Mr. S.
Ventan, T. C.S. Mr. H. A.
Weight, Mr. W. O.
Zumindar of Rohpalli
Zamindar of Rohpalli
Zamindar of Seithur.

#### I

#### NEW MEMBER.

The following new Member was sworn in :—
Rao Bahadur C. V. Anantarishna Ayyar.

# п

QUESTIONS AND ANSWERS

# STARRED QUESTIONS

# Irrigation

Report of the Ceded Districts Irrigation Committee.

- \* 1686 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon, the Member for Revenue be pleased to state in reference to answer given to question No. 680 answered on 19th October 1927 regarding the report of the Geded Districts Irrigation Committee—
- (a) whether a separate Tank Restoration Scheme Division for the Ceded Districts has been settled upon and sanctioned;
- (b) whether the report of the Board of Revenue on the recommendations of the Ceded Districts Irrigation Committee regarding kudimaramat, derelict tanks and the development of well irrigation has been received and considered by the Government;
- (c) whether he is prepared to place the said report on the table of this House:
- (d) what action the Government have taken or propose to take on the said report;
- (e) what orders have been passed on the recommendations of the Chief Engineer regarding the transfer of the Kurnool-Cuddapan canal to the sole charge of the Executive Engineer, Kurnool;

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- (f) whether he is prepared to place on the table of this House the report of the Chief Engineer regarding the "Five Projects," if it has been received:
- (g) what further progress has been made with the investigation of the Tungabhadra project; and
- (h) what amount of money is likely to be demanded during the next budget in behalf of this Tungabhadra project?
  - A.—(a) The scheme for the creation of a separate Tank Restoration Scheme division for the Ceded districts has been passed by the Finance Committee and awaits the vote of the Legislative Council.
    - (b), (c) & (d) The report of the Board of Revenue and the orders thereon, regarding kadimaramat and derelict tauks are laid on the table of the House. The Board's report's regarding irrigation from wells and streams by pumping with electrical and mechanical appliances is also placed on the table. This report is under the consideration of the Government.
    - (e) The attention of the hon. Member is drawn to G.O. No. 1900 I., dated 30th October 1927, which has been placed on the Editors' Table. The Chief Engineer's recommendation has been approved.
    - (f) The Chief Engineer's report on the five smaller schemes was placed on the Conneil table on 2nd November 1927—vide pages 334-335 of Volume XXXVIII of the Council Proceedings.
    - (9) The attention of the hon. Member is drawn to the answer given to clause (a) of question No. 1449 on 25th January 1928.
    - (h) The exact amount to be provided for the Tungabhadra investigation in the budget estimates for 1928-24 has not yet been decided. It awaits the Chief Engineer's reply to a reference made to him.

# Progress of the Tungabhadra Project.

\* 1687 Q.—Mr. R. NAGAN GOWDA: Will the hon, the Member for Revenue be pleased to state—

- (a) the amount of work so far done on the Tungabhadra Project since 31st March 1927;
- (b) how much out of Rs. 25,000 sanctioned last year will be spent before 31st March 1928;
- (c) the amount of work that is contemplated to be undertaken in 1928-29 and the amount allotted for the same in the new budget;
- (d) whether the Government will consider forming a separate division under an Executive Engineer for the Tungabhadra Project for the year 1928-29:
- (e) how much work has been done in the river-bed at the dam-site till now; and

<sup>·</sup> Printed as Appendix 1 on pages 73-79 infra.

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- (f) whether the Government propose to undertake and complete all the investigation work that is needed to be done in the river-bed at the damsite before 3ist March 1928; and if not, why not?
  - A.—The position was explained to the hon. Member in the discussion on Resolution No. 12 on 27th February 1928.
    - (a) The Government have no exact information.
    - (b) The revised estimates contemplate expenditure of Rs. 15,000 this year.
    - (c) The budget allotment is Rs. 15,000, but that may be exceeded if a separate division is formed or has been proposed.
      - d) Yes
    - (e) A trench is being dug along the whole length to lay bare the foundation for the Geologist's next visit: the Government do not know exactly how far it has progressed.
    - (f) It is impossible to say how much will be done by 31st March. The Chief Engineer has been given the requisite subordinate staff for the purpose and has been asked to push on with the work.

# Proposed upland drainage scheme for earrying water to Coleroon.

- \* 1688 Q.-Mr. S. MUTHIAH MUDALIYAR: Will the hon, the Member for Revenue be pleased to state -
- (a) whether there is an upland drainage scheme in contemplation by which rain water is proposed to be carried through. Venner and Cauvery to Colercon:
- (b) whether the Coleroon embankment is strong enough to stand this additional water;
- (c) whether the water cannot be carried to Coleroon by syphons under the Cauvery and Vennar;
- (d) whether the upland drainage water cannot be carried to the sea by the Vattar; and
- (e) whether the whole or portion of the upland drainage water cannot be utilized for the Valanar project and the Mettur Canal system?
  - A .- The Government have referred the question to the Chief Engineer for report.

# The Pandavayar Improvement scheme.

- \* 1689 Q.—Mr. S. MUTHIAH MUDALIYAR: Will the hon, the Member for Revenue be pleased to state —
- (a) whether the report of the Revenue Board on the Pandavayar Improvement scheme has been revived; and
- (b) whether the scheme has been included in the present year's budget?

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Mr. S. Muthiah Mudaliyar:—"May I ask the hon, the Revenue Member when the report is expected?"

The hon. Sir Norman Marjoribanks :- "Very soon, I hope, Sir."

Irrigation of lands under the Palla authukalcai of Kanganellore village.

\*1690 Q.-Mr. M. A. MANIKKAVELU NAYAKAR: Will the hon. the Member for Revenue be pleased to state-

(a) whether the two channels Mettu authukalvai and Palla authukalvai of Kanganellore village, Gudiyattam taluk, are closed as separate irrigation sources in the resettlement accounts; if so, what is the extent of irrigation under each channel;

(b) whether it is a fact that the Palla authokalvai has been totally neglected without being repaired either by Government or by enforcing kudimaramat labour:

(c) whether it is a fact that the whole extent of the Mettu authukalvai and Palla authukalvai lands are now irrigated by only the Mettu authukalvai water:

(d) why the Government have allowed such a step being adopted when there are laud-marks of a separate neglected channel;

(e) whether the Government are aware that the head sluice built at the head of Palla authukalvai involving an outlay of Rs. 2,500 is left unused;

(f) whether the Tahsildar of Goddynttam inspected the structure and the channel rouning in the rear of it and why no steps were taken to restore the channel though frequently requested by ryots;

(g) whether the Government are aware that the real cause of vast shavi in years of ordinary rainfall is due to insufficient flow in the channel and the illegal taking away of Mettu authukalvai water to Palla authukalvai lands;

(h) whether it is a fact that the ryots petitioned to the Collector of North Arcot on 28th April 1926 to restore the channel, and whether the Tahsildar of Gudiyattam to whom it was forwarded has given an endorsement to say "மாழ்ந்தும் நடைந்த திரைவினாரும்"?

(i) whether the Government are aware that the Su -Collector, Vellore, old North Arcot district, in his order dated 5th November 1883, ordered the Tahsildar to restore the Palla authukulvai and not to give permission to take Mettu authukulvai water for Palla authukulvai tands and that it was confirmed by the Collector of North Arcot in his Supplemental Appeal Case No. 180 of 1883; and

(j) whether the Government will ask the Collector of North Arcot to all the necessary funds for restoring the Palla authukalvai and thus open Palla authukalvai for Palla authukalvai lands and totally separate the irrigation by the respective channels?

A.—(a) The two channels have been classified as separate irrigation sources and their registered wet ayacuts are 290.78 acres and 499.93 acres respectively.

(b) to (j) The Government have not the information and have called for a report.

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# Damages by the erosion of the Padne bar.

\*1691 Q.—Mahmud Schamnad Sahib Bahadur: Will the hon, the Member for Revenue be pleased to state—

(a) how many memorials and petitions the Government have received from the ryots of Nileswar, Padne, Otharavatur and other villages about the devastations of the new Padne bar since its opening;

(b) the estimated damage caused by the erosion of the new bar since

its opening;

(c) the extent of paddy fields and gardens and the number of houses, mosques, temples and trees respectively washed away by the shifting of the bar:

(d) whether, if the Government have not got the information asked above, they propose to call for the same and place the report received on the

(e) whether it is a fact that most of the destructions were caused

during the monsoons;

(f) whether preventive or other action has been taken by the Govern-

ment since the representation made by the ryots to His Excellency the Governor when the latter visited South Kanara in October last;

Governor when the latter visited South Kanara in October 186; (g) whether they propose to call for the plan get prepared by the Collector of South Kanara showing the positions of the old bar, the new bar,

the destruction so far caused and the destruction that is imminent, etc.; and
(a) whether the Harbour Engineer visited the place and had done
anything till now and what report, if any, he has submitted to the
Government?

A .- (a) The Government have received one such memorial.

(i) § (c) The Government have not the information.
(d), (e), (f), (g) § (h) Since the visit of His Excellency the Governor to South Kanara in October last the Harbour Engineer-in-Chief has been deputed to report on the possibility of closing the new Padne bur. A report on the technical aspect of the question has been received from him and has been forwarded to the Board of Revenue for report on the revenue aspect of the damage likely to

# Expenditure in connexion with the Mettur Scheme.

be caused if the present Padne bar is not closed.

\* 1692 Q.—Syro Tajuri Sahib Bahadur. With reference to questions Nos. 119 and 120 answered on 24th August 1927, will the hon, the Member for Revenue be pleased to state—

(a) the amount that has been already spent under each head in con-

nexion with the Mettur Scheme;

(b) the amount that is expected to be spent in the remaining portion of this financial year;

(c) the names and salaries of all gazetted officers that are working in

connexion with the scheme;

(d) the lengths of the major channels and of the minor channels already dog in connexion with the Canal System of the Mettur Scheme and the cost that has already been incurred under each heading; and

(e) the cost of maintaining these channels till the reservoir, scheme is

completed?

A.—(a) § (b) The latest figures reported to Government will be found in Appendix II on pages 91 to 97 of the Budget Memorandum.
 (c) The hon. Member is referred to the Quarterly List of Gazetted

(c) The hon. Member is referred to the Quarterly List of Gazetted Officers.

(d) The latest information available will be found on pages 96-97 of the Budget Memorandum.

(e) Information is not available.

#### Land Revenue

Collection of the suspended land revenue in Bel'ary taluk.

\* 1693 Q.—Mr. R. NAGAN GOWDA: Will the hon, the Member for Revenue be pleased to state—

officers in Bellary taluk, Bellary district, to collect the suspended land revenue of fash 1386;

(b) the number and names of villages in which the land revenue for fasli 1386 was collected by 1st February 1928 in fall or an part as a result of this circular and if in part the part that has been collected; and

(c) whether any of these villages have been later recommended by the district revenue authorities for postponement of land revenue for fasil 1336 in full or in part and in part the part that has been recommended?

A.—(a), b) & (c) The Government have not the information but have called for it.

#### Postponement of the collection of land revenue in Bellary taluk.

 1694 Q.—Mr. R. Nagan Gowda: Will the hon, the Member for Revenue be pleased to state—

(a) the months in which land revenue is collected in Bellary taluk,

Bellary district, and the portions to be collected in each month;

(b) whether the Government have received any petitions from the ryot;

of that taluk complaining that their crops have failed this year also and requesting that the land revenue collections be postponed;

(c) whether the Government have come to any decision as to the

collection or suspension of land revenue in these villages;

(d) what are those decisions and when they were arrived at; and .

(e) whether the Government have issued orders suspending collections till the Government had come to a decision about postponement or suspension?

A.—(a) February ... ... ... 4 annae March ... ... 8 ,, April ... ... 4 ,,

(b) Yes.
(c), (d) & (e) No order has been issued suspending the collection of the land revenue of the current fash in any village in the Bellary taluk; nor is the issue of any such order contemplated. The collection of the suspended revenue of fash 1336 in 55 villages of the taluk has been postponed from the current fash to the next fash. The collection of half of the suspended revenue of fash 1336 in 63 villages of the taluk has similarly been postponed to the next fash.

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Mr. R. Nagan Gowda: —"May I know, Sir, if the Government have received any petition from the ryots for postpouing the collection of revenue of fasli 1337?"

The hon Sir NORMAN MARJORIBANKS:—"I am not perfectly sure. I think such petitions were received and sent to the Collector for report."

Mr. R. Nagan Gowda:—" May I know if the Government are aware that there are areas in Bellary where the crop has been less than 4 annas and whether the Government contemplate suspension of land revenue this year."

The hon. Sir NORMAN MARJORIBANKS:-" Government are not aware, Sir."

#### Loans

# Reduction of the rate of interest on agricultural loans.

\* 1695 Q.—Mr. J. Kuppuswamt: Will the hon the Member for Revenue be pleased to state the progress made in the investigation promise by him of the question relating to the reduction of the rate of interest to 5 per cent on loans under the Land Improvement Loans Act and the Agricultural Loans Act recommended by the Legislative Council in the resolution passed at its meeting on 24th January 1928 ?

A .- The Government have called for a report from the Board of Revenue.

#### Season

# Cyclone havoc in Culdapah district.

\* 1696 Q.—K. ABDUL HYE SAHIB Bahadur: Will the hon the Member for Revenue be pleased to state—

 (a) what was the amount of the property lost as a result of the recent cyclone havor in the district of Cuddapah;

(b) what is the estimated damage caused to the property of Muhammadans in Cuddapah;

(c) whether Government have given them any relief; and

(d) if so, what is the nature of relief given ?

A,-(a) The amount of property lost is as given below:-

			RS.
Livestock	 	 	78,049
Damages to houses	 	 	50,000

(b), (c) & (d) The Government have not got separate information for different eastes or religions. The measures of relief taken by Government were to make free grants of building materials to poor persons and to make small grants of money to relieve immediate want till people could get to work again.

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# Village Establishments

Revision of the pay of village officers.

- \* 1697 Q.—Mr. V. Ramjee Rao: Will the hon, the Member for Revenue be pleased to state--
- (a) whether it is a fact that the Village Officers' Association for the Presidency waited upon the Government for redressing their grievances and, if so, what was the reply given by the Government; and
- (b) whether the Government propose to revise the scale of salaries of the village officers, including the menial servants, from the next official year in view of the remission of Provincial contribution?
  - A.—(a) Certain members of the Village Officers' Association made representations to the hon, the Ravenue Member who told them that their representations would be considered.
    - (b) There is no such proposal before the Government other than the representations above referred to.

# Depressed Classes

Fire accident in Avadi village.

- \*1698 Q.—Mr. V. RAMJEE RAO: Will the hon, the Home Member be pleased to state—
- (a) whether the Government are aware of the fire accident in Avadi village, Godavari East district, which completely destroyed the huts and houses of the Adi-Andhrus, out 15th February 1923;
- (b) what sort of relief has been readered to them by the Government or the head of the district for the reconstruction of their houses; and
- (c) if no relief has yet been given, whether the Government will be pleased to issue necessary orders for the relief?
  - A.—The Government have no information, and do not propose to interfere with the discretion of the local authorities.
- Mr. V. Ramjee Rao:—"As regards the answer to clauses (b) and (c), will the Government be pleased to call for the information?"

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur: -- "Sir, the suggestion will be considered."

#### Appointment of teachers in labour schools.

- \* 1699 Q.—Mr. V. RAMJEE RAO: Will the hon, the Home Member be pleased to state—
- (a) the number of labour schools in each district of the Andhradesa and the number of teachers entertained in the labour schools of each district;
- (b) whether it is a fact that Christian Adi-Andhra teachers are employed in the labour schools;
- (e) the percentage of Hindu Adi-Andhra and Christian Adi-Andhra teachers appointed in each district in the labour schools;

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(d) the number of higher elementary schools run by the Labour

department in each district; and

(e) whether the Government will raise some labour elementary schools into higher grade schools for the facilities of higher education in each district in which the operations of the Labour department are opened in the next official year?

A.—(a) For the number of schools see the answer to question No. 1673. Figures for teachers are given in the administration report.

(b) & (c) The Government have not the information.

(d) One in Kistna.

(e) No promise can be given. The Commissioner will no doubt propose raising when necessary.

Scholarships to depressed classes of Hindu faith reading in colleges.

\*1700 Q.—Swami A. S. Sahajanandam: Will the hon, the Home Member be pleased to state whether there is any bar which prevents the Labour Commissioner from granting scholarships and such other assistance to the depressed classes of Hindu faith reading in the colleges and standing in need of such assistance?

A.-No

# Allotment for the Kallar community.

\* 1701 Q.—Swami A. S. Sahajanandam: Will the hon, the Home Member be pleased to state—

(a) whether any amount was provided by the Labour Commissioner for the Kallar community in 1927-28; and if so, how much;

(b) what portion of the amount was spent on Christians; and

(c) whether any safeguards have been taken to prevent misappropriation or misuse of the money?

A.-(a) The hon. Member is referred to the budget estimates.

(b) Information is not available.

(c) The usual safeguards provided in the general financial and account rules.

# Acquisition of house-sites for depressed classes.

\*1702 Q.—Swami A. S. Sahajanandam: Will the hon. the Home Member be pleased to state—

(a) the total amount drawn by the Commissioner for Labour from Government during 1927-28 for the acquisition of house-sites to depressed classes:

(b) if so, how much was spent and how much was refunded by him;
 (c) the total amount spent by Government for the acquisition of house-

sites to depressed classes, ever since the Labour department was created; (d) the amount received from the depressed classes by Government on that behalf; and

(e) what is the amount still expected from them?

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 $A_{\bullet}$ —(a) The provision in the budget for 1927-28 was Rs. 2,92,900.

(b) Rupees 1,14,800 was spent and Rs. 1,78,100 surrendered.

(c), (d) & (e) The hon. Member's attention is invited to the budget estimates of the relevant years.

Mr. V. I. Muniswami Pillai:—"With reference to clause (b), may I know when this large amount was surrendered, and why?"

The hon. Khan Bahadur Muhammad Usman Sahhb Bahadur: —"As I pointed out in my speech in the general debate the department of the Labour Commissioner has to be reorganized. We began work in one or two districts and we have got now about seventeen or eighteen districts and it is impossible to carry on more work with the present staff. So the question of reorganization of the department will soon be under the consideration of the Government."

Mr. M. V. GANGADHARA SIVA: —"How long since is the question of reorganization under the consideration of the Government?"

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur:—"It will soon be taken up."

Rao Bahedur C. S. RATNASARAPATHI MUDALIYAR.— May I know whether applications for grants for a similar purpose were received from municipalities? D

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur: -- "Notice of the question, Sir."

#### Government Press

Memorial from the Madras Government Press piece-workers.

\* 1703 Q.-Mr. M. A. Manikkavelu Nayakar: Will the hon. the Home

Member be pleased to state-

(a) whether the Government have received memorials from the Madras Government Press piece-workers in respect of their pay, leave, pension, etc.;

(b) whether orders have been passed on them; if so, what they are;

(c) if not, whether they will be pleased to give effect to the increase now as prayed for in their memorials?

A .- (a) Yes.

- (b) & (c) The Government have sanctioned the grant of the following concessions to piece-work compositors in the Government Press:—
  - (i) Hill allowances to men taken to Ootacamund on the scale allowed to other employees of the Government Press, the concession of rent-free quarters previously admissible to those whose average earnings amounted to Rs. 25 or more being withdrawn.

(ii) Permission to count as service qualifying for pension Sundays and other holidays admissible to employees in the Press and, subject to maximum of 15 days in a year, the period of authorized casual leave without

allowances actually taken.

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Mr. M. A. Manikkavelu Nayakar:—"With reference to clause (i) of the answer to (b) and (c), may I know whether it applies to those who are in Madras?"

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur:—" Notice, Sir."

Mr. M. A. MANIKKAVELU NAYAKAR: -- "May I know whether the Government propose to revise the pay of those who work in Madras?"

The hou. Kban Bahadur Muhanmad Usman Sahib Bahadur:-" No, Sir."

Mr. M. A. MANIKRAVELU NAVAKAR :- " Why, Sir ?"

The hon. Khan Babadur Muhammad Usman Sahib Bahadur:—"There is no special reason, Sir."

#### Police

Expenditure for maintaining peace in the Madras City on 26th February 1928.

\*1704 Q.—Mr. B. RAMAGHANDRA REDDI: Will the hon, the Home Member be pleased to state the expenditure specially incurred by the Government of Madras on 26th February 1928 for maintaining peace in the Madras City, and for other arrangements to counteract the intended hartal on the arrival of the Simon Commission?

A .- The Government have no information ; they have called for it.

# Civil Justice

Increased pay for process-servers and amins.

 1705 Q.—Mahmud Schammad Sahib Bahadur: Will the hon, the Law Member be pleased to state—

(a) what the Government have decided in the matter of increasing the pay of process-servers and amins;

(b) whether they have received a memorial from the process-servers of the Sub-Judge's Court, Octacamund;

(c) what order has been passed upon that memorial; and

(d) whether Government will take any steps and, if so, what steps to see that the order passed by the High Court in D. Dis. No. 183 of 1927, dated 26th February 1927, barring the promotion of a process-server to the grade of an amin is cancelled?

A.—(a) & (c) The Government have not yet arrived at a final decision in the matter.

(b) Yes.

(d) Under the Madras Civil Courts Act, sections 22 and 23, the Government have no power to interfere in the matter.

#### Criminal Justice

Prosecution of persons in Madras City for disturbing public peace on 3rd February 1928.

- \* 1706 Q.—K. ABDUL HYE SAHIB Bahadur: Will the hon. the Law Member be pleased to state—
- (a) the number of persons who have been prosecuted in the City of Madras for disturbing public peace on the 3rd February 1928, the date of the arrival of the Simon Commission in India:

(b) whether it is not a fact that Muhammadans as a rule abstained from taking part in the hartal on the 3rd of February; and

- (c) the names of the persons who were shot dead in the Esplanade as a result of opening fire by the police?
  - A .- (a) Twenty-eight.
    - (b) The Government believe that many Muhammadan shops in Triplicane and elsewhere were open.
      - (c) Parthasarathi.

#### Forest

Havoe to crops by wild boars in South Kanara.

- \* 1707 Q.- Mr. A. B. Sherry: Will the hon, the Law Member be pleased to state-
- (a) whether the Government are aware of the havor done to crops by wild boars in the vicinity of reserved forests in South Kanara; and
- (b) whether they are giving rewards for killing wild boars, and if so, what is the amount paid in each case?
  - A.—(a) The Government are aware that in certain localities in South Kanara wild pigs damage crops.
    - (b) Rewards are not granted for the destruction of wild animals other than tigers and panthers.
- Mr. A. B. Sheft: "With reference to the answer to clause (b), may I know whether the Government will consider the question of giving rewards for the destruction of wild boars?"

The hon. Sir Norman Marjoribanks: - "The question will be considered, Sir."

# Panchayat Courts

Amendment of the Village Courts Act.

- \*1708 Q.—Mr. A. B. Sheity: Will the hon, the Law Member be pleased to state whether the Government have considered the question of amending the Village Courts Act as promised by him in the answers given to my questions Nos. 942 and 944 on the 31st October 1927?
  - A .- The amendment of the Act is under consideration.

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#### State Prisoners

Release of Mr. M. P. Narayana Menon.

\*1709 Q.—Diwan Bahadur M. Krishnan Nayar: Will the hon, the Law Member be pleased to state —

(a) whether Messrs. K. Madhavan Nayar, M.L.C., and P. Appunni Menon, a member of the District Board of Malabar, undertook to stand as sureties for the good conduct of Mr. M. P. Narayana Menon, prisoner in the Madras Penitentiary. in case of his release: and

(h) what orders, if any, the Government have passed in the matter?

A.—(a) No. They offered to stand surety that Narayana Menon would not enter the rebel area in Melabar for a maximum period of three years without prejudice to his right to travel through that area in the train.

(b) Having regard to the terms of section 401 of the Criminal Procedure Code, the Government were not prepared to release

M. P. Narayana Menon on the sureties offered.

Mr. K. Madhawan Nayar:—"The answer to clause (b) says, 'having regard to the terms of section 401, etc.'. May I know what terms stand in the way?"

The hon. Mr. A. Y. G. CAMPBELL:—" Under section 401, it is necessary to get the consent of the prisoner before release."

Mr. K. Madhayan Nayar;—"May I know if the Government through its representative, the Law Member, made an offer in this House on the the 4th November 1927, that irrespective of the cassant or undertaking by Mr. M. P. Narayana Menon, if two friends of his came forward and gave an undertaking that he would not enter the rebellion area he would be released?"

The hon. Mr. A. Y. G. CAMPBELL:—"The hon. Member will find the statement of the hon. the Law Member in the proceedings of the Legislative Council."

Mr. K. Madr. van Navar:—"In view of the statement made by Sir C. P. Radinswami Ayyar, the then Liw Member, on the 4th November—this is what he said: "if Mr. Navayana Menon gives that underthing to-day or if other friends on his behalf, in the manner which was suggested, give that undertaking, Government will sympathetically consider the question for release,—in view of that statement, may I know whether the Government is prepared to release Mr. Narayana Menon on the acceptance of the surety offered and if not, why not?"

The hon. Mr. A. Y. G. CAMPBELL:—"I must ask for notice of that question, Sir."

# Education .

Opening of a high school for girls in Bellary.

\* 1710 Q.—Mr. R. Nagan Gowda: Will the hon, the Minister for Education and Local Self-Government be pleased to state—

 (a) whether the Government have decided to open a high school for girls in Bellary;

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- (b) whether they have succeeded in obtaining a building for the same;
  - (c) how soon they expect to start the school?
  - A.—(a) The question of converting the Government higher elementary school for girls, Bellary, into a middle school is under consideration.
    - (b) Yes. The school is proposed to be located in a rented building.
    - (c) The middle school may be opened in June next, if the necessary funds are voted by the Legislative Council.

# Location of the Government girls' school at Avanigadda.

\* 1711 Q.—Mr. V. RAMJEE RAO: Will the hon, the Minister for Education and Local Self-Government be pleased to state—

- (a) whether the Government are aware that the Government girls' shool at Avanigadda entrusted to the Bandar Talak Board is located in a small house which is not even sufficient for fifty pupils as per the Education Rules, though the strength of the school is 125, and whether the fact was brought to the notice of the departmental head by the headmister of the school and also by the Sub-Assistant Inspectress of Girls' Schools; if so, on what date:
  - (b) for how long the school has been in the same building; and
- (c) whether the Government propose to make necessary arrangements for its proper accommodation?
  - A .- The Government have no information. A report will be called for.

# Admission of depressed class pupils in local board schools.

\*1712 Q.—Mr V RAMJEE RAO: Will the hoa, the Minister for Education and Local Self-Government be pleased to state —

(a) the names of taluk boards in each district of the Presidency which have refused admission to the depressed classes into their elementary

schools; and
(b) whether the Government will issue necessary orders directing the
presidents of the local boards to throw open the schools for the admission
of depressed classes?

A -(a) The Government have no information.

(6) The hon. Member is referred to the reviews by the Government of the reports received annually in regard to the steps taken for the admission of the depressed class pupils into public schools, which are placed on the Editors' table.

Mr. V. RAMJEE RAO:—"With reference to the answer to (a), will the Government call for the information?"

The hon. Dr. P. SUBBARAYAN: -" Yes, Sir."

Mr. V. I. Muniswami Pillai:—"Is the Government at least aware of the fact that some local board schools are not admitting depressed classes?"

The hon. Dr. P. Subbarayan: -"'A general Government Order was issued sometime ago that all schools, unless there is no difficulty about the location of the school, should admit pupils belonging to all classes."

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#### Encouragement to the Scout movement.

\* 1713 Q -Mr. A. B. Shetty: Will the bon. the Minister for Education and Local Self-Government be pleased to state-(a) what the Government are doing to encourage scouting in schools

and colleges;

(b) whether the District Educational Officers and their subordinates have been instructed to do anything in the matter; (c) whether the Government propose to make permanent the appoint-

ment of the two Organizing Secretaries of the Scout Association; and

(") whether there is any proposal to appoint District Scout Masters, to give more liberal grants or do anything else for the promotion of scouting ?

A .- (a) The Government have sanctioned a non-recurring grant of Bs. 10,000 to the Boy Scouts Association, Madras, during each of the years 1925-26, 1926-27 and 1927-28. The Association has appointed two organizing secretaries, who tour throughout the Presidency and hold scout training camps and demonstrations and thus encourage the spread of the Boy Scout movement in educational institutions. The Government also sanction grants towards the purchase of books on sconting. Further, in the case of Government institutions, members of the staff are deputed or permitted to get trained as scout masters with a view to organizing scout troops in their institutions.

(b) There is a special heading for remarks on 'Boy Scouts' in the Tabular Inspection Report form for secondary schools and District Educational Officers are asked to report whether a Boy scouts troop is attached to the school and if so, whether the troop has a club room and whether it has distinguished itself in any way. The reports of District Educational Officers are reviewed by the Director of Public Instruction who is thus enabled to make suggestions or to point out defects to the

management of the institution.

he question of making the appointment of the Organizing Secretaries permanent is one for consideration by the Boy Scouts Association which is an unofficial organization.

(d) The appointment of District Scout Masters is a question for the Boy Scouts Association and District Scout Councils to settle. There is no proposal to make a larger grant to the Boy Scouts Association.

Mr. A. B. Shetty :- "Is it a fact, Sir, that the District Educational Officers have reported that scouting is either on the decline in schools or has

The hon. Dr. P. Subbarayan: - "No such report has been made."

Mr. A. B. Shetty: - " May I draw the attention of the hon. Minister to the report of the Director of Public Instruction for 1926-27 and the quinquennial report which says that scouting is either on the decline or has not progressed?"

The hon. Dr. P. SUBBARAYAN :- "They have not reported to the

Government.

not progressed "?

#### Local Boards

Construction of the Coleroon bridge.

\* 1714 Q.—Mr. S. MUTHIAH MUDALIVAR: Will the hon, the Minister for Education and Local-Self-Government be pleased to state—

(a) whether the information said to have been called for in the answer to question No. 1486 answered on 25th January 1928, about the Coleroon bridge, has been received; and

(b) what action the Government propose to take with reference to that

matter?

A.—(a) Yes; the information required in Question No. 1486 is given below:—

" Question No. 1486.

(a) When the Coleroon bridge at Anaikaranchatram was washed away by the floods.

Answer. In November 1903.

(b) Why it has not been rebuilt; and
 (d) Whether the Government and the district boards of South Arcot and Tanjore have considered the

question of rebuilding it.

Answer. The question of reconstructing the bridge was dropped as the cost was heavy and the district boards of South Arcot and Tanjore were of opinion that the bridge was not essential.

(c) What was the extent of the traffic across the bridge

for 5 years before its collapse.

Answer. There is no information.

(e) What will be the estimated cost of such reconstruction.
Answer. The President, District Board, South Arcot,
estimates the cost at about Rs. 6 lakhs."

(b) The Government do not propose to take any action until the district boards concerned move in the matter.

Mr. S. MUTHLH MUDALIYAR: —"With regard to the answer to clause (c) by the district board, may I ask the hon. Minister when the information was obtained?"

The hon. Dr. P. Subbarayan :- " I want notice."

Enquiry into the administration of the Chingleput District Board.

\*1715 Q --Mr. RAMANATH GOENKA: Will the hon, the Minister for Education and Local Self-Government be pleased to state whether the Government are considering the advisability of instituting an enquiry into the administration of the Chingleput District Board?

A .- The answer is in the negative.

The Rama of Rammad:—" May I ask, as the question is so vague, what the charges are? The answer is that it is not proposed to institute an enquiry."

The hon. Dr. P. Subbabayan: -- "There has been no charge made to the Government."

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Publication of the Government reviews of the district board and municipal administration reports.

- \* 1716 Q.—The Raja of Ramnad: Will the hon, the Minister for Education and Local Self-Government be pleased to state—
- (a) whether it is a fact that in recent times the Government reviews of the district board and municipal administration reports do not embody such reports as part thereof;
- (b) whether the Government ever considered the desirability of printing a consolidated report, one relating to all the district boards and the other relating to all the municipalities, so that a comparative study of the progress made in the various district boards and municipalities may be available to the public; and if not, why not;
- (c) why the Government, before accepting or adopting the remarks made by the Collectors of the districts in forwarding the administration reports of district boards and municipalities, do not communicate those remarks to the heads of local bodies concerned and obtain their say in the matter before accepting or adopting those remarks?
  - A,—(a) Yes. From 1921-22 the reviews alone are published by Government as the reports are published by the local bodies themselves in the district gazettes.
    - (b) The Government already issue annual reports, one on the working of the district municipalities and the other on the working of local boards in the Presidency.
    - (c) The attention of the hon. Member is invited to sub-section (1) of section 33 of the Madras District Municipalities Act, 1920, and to G.O. No. 35.4. L. & M., dated 15th December 1924, published on page 2 of Part I-A of the Fort St. George Gazette. dated 6th January 1925. From the latter it will be observed that Collectors send to the municipal councils concerned copies of the remarks made by them on the administration reports at the same time as they forward the reports to Government and that 15 days time is allowed to councils to make their observations, if any. The Madras Local Boards Act, 1920, contains no provision corresponding to sub-section (1) of section 33 of the Madras District Municipalities Act, 1920. Collectors have, however, been recently asked to send to the district boards concerned copies of their remarks on the reports of those boards at the same time as they send them to Government.

# Agriculture

Appointment of agricultural demonstrators.

- 17.17 Q.—The Zamindar of Gollapalli: Will the hoa, the Minister for Development be pleased to state in what districts he proposes to appoint the ten demonstrators sanctioned by this Council under Supplementary Grant XXII on 1st November 1927?
  - A .- The matter is engaging the attention of the Director of Agriculture.

# Co-operative Societies

Prosecutions for misappropriation of funds by the Deputy Registrar of Co-operative Societies in Kistna district.

\* 1718 Q .- Mr. V. RAMJEE RAO: Will the hon, the Minister for Develop-

ment be pleased to state-

meno e pleased to state—

(a) the number of prosecutions lodged in the district of Ki-tna during the years 1926 and 1927 by the Deputy Registrar of Co-operative Societies for misappropristion of the societies funds against the members;

(b) by whom the various cases were tried;

(c) how many cases ended in conviction and how many in acquittal and the names of prosecuted persons with the details of amount misappropriated against each; and

(d) whether the Government and the Registrar of Co-operative Societies have satisfied themselves that the grounds of acquittal were satisfactory and

that no appeal need be preferred against acquittal?

A.—(a) to (d) The Government have no information but have called for a report.

# Industries

Opening of industrial schools by local boards.

\* 1719 Q .- The Zamindar of Gollapalli: Will the hon, the Minister

for Development be pleased to state-

(a) whether any local board has sent any proposal to open an industrial school and requested the Government to sanction the grant for the said school; and

(b) if so, what steps the Government propose to take?

A.—The Gobiehettipalayam Taluk Board proposed the establishment of a school for Adi-Dravidas in the village of Perandalajyur for imparting instruction in spinoing and weaving and asked the Government to hear the entire charges thereof. It was informed in reply that it would not be possible to open a school for the benefit of a comparatively small number of persons but that if the Taluk Board could open an industrial institution, the Industries Department would consider favourably the question of giving such an institution suitable grants in-aid.

# Public Works

Construction of a bridge over the Buckingham Canal between Tirukkalikkunram and Seven Pagodas.

\* 1720 Q .- Mr. M. A. MANIKKAVELU NAYAKAR: Will the hon, the

Minister for Development be pleased to state-

(a) whether he is aware that on account of the Buckingham Canal running between Tirukkalikkunram and Seven Pagodas (Mahabalipuram) merchants and tourists find it very difficult to pass from one place to another especially during the rainy season;

(b) whether hundreds of tourists including Europeans and Americans

visit the Seven Pagodas for their great architectural skill;

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(c) whether almost all Provincial Governors and sometimes Viceroys

also visit the place;

(d) whether the present merchandise of the coastal villages is diverted at great cost and inconvenience through waterways via Sadras and other places :

(e) whether any mahazars from the people concerned requesting the construction of a bridge over the canal were received by the Government;

(f) whether the Government propose to put up a bridge over the canal?

A .- (a) There is a ferry, but there is no doubt some inconvenience when there has been much rain.

(b) & (c) Yes.

(d) The Government have no particular information.

(e) No.

(1) There is no such proposal at present.

Mr. M. A. MANIKKAVELU NAYAKAR :-- "Sir, may I ask the Government to call for an estimate for constructing a bridge?"

The hon. Dr. P. Subbarayan :-- "I will call for an estimate."

# Excise

Location of the arrack shops in Bandar.

\* 1721 Q .- Mr. V. RAMJEE RAO: Will the hon, the Minister for Public Health be pleased to state-

(a) whether the Excise Advisory Board of Bandar division in the Kistna district have suggested the abolition of the arrack shop at Bandar Fort and the transfer of the Aravagudem arrack shop to a place near Inguduru slaughter-house ;

(b) whether it is a fact that Government have ordered the retention of the former one on the same locality and the shifting of the latter to Robert-

son Square bazaar, a public place in the very heart of the town ;

(c) whether it is a fact that the Aravagudem shop is accordingly going to be located in Robertson Square in a conspicuous place on the public road near the market;

(d) whether the Government will be pleased to place on the table of the House the opinion expressed by the Excise Advisory Board for Bandar division as regards the location of the two shops, the remarks of the Collector of the district and the copy of the Government Order thereon; and

(e) whether the Government propose to issue necessary orders in the circumstances for not locating the shop in the Robertson Square, and if not why?

A .- (a) & (c) The Government are not aware that the facts are as suggested.

(b) & (d) No orders have been passed by the Government on the subject. The opinion of the Excise Advisory Committee and the remarks of the Collector thereon have not been communicated to the Government.

(e) The Government have called for a report on the subject.

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Mr. V. RAMJEE RAO:—" May I know whether the Government are aware that the facts are as such? With regard to (b) and (d), will the Government be pleased to place the report on the table?"

The hon. Dr. P. Subbarayan :- "I cannot give any undertaking."

Illicit sale of liquor in Masulipatam.

\* 1722 Q.-Mr. V. RAMJEE RAO: Will the hon, the Minister for Public Health be pleased to state-

(a) whether it is a fact (i) that some of the soda shops in Masnlipatam were reported some time ago to be selling liquor secretly.

(ii) that on such a report Mr. H. H. F. M. Tyler, Commissioner of Excise, paid a surprise visit to Masulipatam and held an investigation with a

detective staff brought from Ongole or thereabout, and
(iii) that he found the report to be correct; and

(b) what steps the Government have taken to check this evil?

A.—(a) & (b) The Government are not aware that the facts are as suggested.

Mr. V. RAMJEE RAO: -- 'As regards (a) and (b) will the Government be pleased to place the report of investigation on the table?"

The hon Dr. P. Subbarayan: "I cannot give that undertaking."

Dr. B. S. Mallayya :- " No undertaking for anything."

# UNSTARRED QUESTIONS

Depressed Classes

Alleged elimination of the "Setti Balija" community from the list of depressed classes.

1723 Q.--Mr. J. BHEEMAYYA: Will the hon, the Home Member be reased to state--

(a) whether it is a fact that the "Setti Balija" community has been eliminated from the list of the depressed classes, and if so, when and for what reasons and for what purposes; and

(b) if the answer to clause (a) be in the affirmative, whether the Government be pleased to reconsider their decision and include the "Setti

Balija" community in the list of the depressed classes?

A.—A circular to this effect was issued in Angust last but is being withdrawn, as the Commissioner thinks it undesirable to define rigorously the classes who should be treated as depressed.

Utilization of the grants for the benefit of the untouchable classes.

1724 Q.—Swami A. S. Sahajanandam: Will the hon, the Home Member be pleased to state—

(a) whether from 1st April 1927 to this date the Labour department has drawn any amount for the benefit of the untouchable classes and if so, how much; and

(b) what amount has been spent for the education and housing of the

untouchable classes alone during the said period ?"

A .- The figures will be published in the next administration report.

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Inspection work done by the Labour Commissioner during his tour.

1725 Q.—Swami A. S. Sahajanandam: Will the hon the Home Member be pleased to state whether the Labour Commissioner examines the records of District Labour offices in the mufassal, and whether during his tour he personally inspects the places where measures for the amelioration of the depressed classes are reported to have been taken up by his sub-ordinate officers?

A.—The Government have no reason to believe that the Commissioner fails to make such inspections as he thinks necessary.

#### Labour

Qualifications for occupying the post of the Labour Commissioner.

1726 Q.—Swami A. S. Sahajanandam: Will the hon, the Home Member leased to state whether district experience is one of the essential qualifications required for the Labour Commissioner?

A .- No special qualifications have been prescribed.

#### III

#### COMMUNICATIONS TO THE COUNCIL.

The Secretary laid on the table copies of :

(i) G.O. No. 109, Development, dated 20th January 1928, passing orders on the audit report of the Russellkonda Saw Mill for 1926-27.

(ii) G.O. a No 322 W., dated 2nd February 1938, passing orders on the accounts of Willingdon House, Octacamuud, for 1926 and 1927.

[Note.—An asterisk (\*) at the commencement of a speech indicates revision by the Member.]

#### IV

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The hon, the PRESIDEN: —"I have to announce that the Tuticorin Port Trust (Amendment) Act, 1927, received the assent of His Excellency the Governor-General on 27th January 1928."

#### V

#### STATEMENTS OF THE EX-MINISTERS ON THEIR RESIGNATION.

Diwan Bahadur R. N. Arogyaswami Mudaliyar:—"Mr. President, let me thank you, Sir, for your kindness in giving me permission to make a statement before this House explaining the reasons that led to my resignation of the office of the Minister for Public Health and Excise. In making this statement, Sir, I shall try as far as I can, to avoid personalities. But I think, Sir, it will be recognized that it will be impossible for me altogether to desist from making some personal references. Among the causes that led to my

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resignation there are those which I might describe as proximate and others which I may describe as immediate. Among the proximate causes that ultimately led to my resignation I may mention the fact that owing to various causes there was a good deal of unpleasantness amongst us Ministers. (Hear, hear.)

"I shall be treading on delicate ground by venturing into details and I do 11-15 a.m. not want that all our dirty linen should be washed before the public. But among the many reasons which had led to this disunion in the Ministry I would give the first place to the fact that although there was an attempt in this province to establish the convention of joint responsibility, we among ourselves were never united on that point. Joint responsibility meant joint consultation, and it is a matter of common knowledge that in many cases action was taken on important matters without anything approaching joint consultation. It is unreasonable to expect any one of the Ministers to take the responsibility for the actions of his colleagues in which there was no joint consultation. Joint responsibility, Sir, means joint consultation. In this Province, the late Governor Lord Willingdon tried to start the convention of joint responsibility. The House is aware that nowhere in the Government of India Act or in the present constitution is there any reference made to the Chief Minister. In other Presidencies, there is no Chief Minister at all. In this province, when the convention of having a Chief Minister was started, the implications of joint responsibility followed and joint responsibility should have been preceded by joint consultation. On account of the failure of joint consultation, we have had often a good deal of trouble and unpleasantness among us Ministers; and when later our personal conversations failed on the subject, I raised the question officially and even then I failed and my Colleague hon. Dr. Subbarayan resisted and resented my raising the question at all. (Cries of 'hear, hear' and 'the cat is out of the bag.') It is no surprise therefore that in our counsels we were never united, and all attempts to secure joint responsibility have failed so far,

"Coming next to the question of the Simon Commission, one of the causes that led to the trouble was the premature statement on the subject issued to the press by Dr. Subbarayan. As soon as the personnel of the Commission was announced, we decided that we should call a meeting of our party. A party meeting was fixed; but in the meantime, Dr. Subbarayan, for reasons of his own, issued a statement which showed to his Colleagues that he repudiated the necessity for joint consultation and consultation of the party. In spite of our endeavours the statement was issued, and we had the

unpleasantness of differing on this question.

"Then, Sir, as the joint Ministry was supposed to work on joint responsibility, this premature statement provoked a retort from certain members of our party, including our Chief Whip. Naturally there was unpleasantness in the party. Later on we decided in our party that this question of the Simon Commission was to be a non-party issue and that individual members should be given the liberty of voting and acting in this matter as they liked. This House decided by an overwhelming majority that it would not co-operate with the Simon Commission as at present constituted. Thereupon, Dr. Subbarayan threatened to resign. (Voices of 'Oh', 'Did he'?) A day later, he informed us that he had already resigned, (Oh') and the tresignation was in His Excellency's hands, (Dr. Mallayya: 'Bluff!') '(Mr. Satyamurti: 'Oh') but we find that the resignation did not

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take effect. (Laughter.) (Mr. Satyamurti: Whose fault?) He informed us that he had asked His Excellency to accept his resignation but no action was taken on it. Then, on a subsequent date, I and my late Colleague Mr. Ranganatha Mudaliyar were definitely informed by Dr. Subbarayan that he had resigned his appointment and had asked the Government to give effect to it from the date of the departure of the Simon Commission from Madras. On account of this, either actual or threatened resignation, a good deal of trouble was caused in our party, and our party thought that it would lead to the immediate breaking up of the party to which we all belonged. It resulted in a good deal of confusion and turmoil. I had an interview with His Excellency on the question of Simon Commission resolution and His Excellency told me that those who acted against the Commission acted against the Government. (Mr. C. V. Venkataramana Ayyangar: When was that?) I of course did not accept that view; for had I accepted that view I should have resigned at once. If a Minister acted against the Commission and boycotted it, I could not for the life of me see how he was acting against the Government. I do not want to say anything further, but I must say, Sir, finding that His Excellency took that view that anyone acting against the Commission was acting against the Government, I should have, as I said, resigned at once; but I did not for two reasons. Firstly because, I thought His Excellency was wrong and might change his view later and secondly, I had to meet my Colleague Mr. Ranganatham who was not in Madras and I wished to consult him on the matter as to what action I should take.

"The next thing that I would mention was the no-confidence motion brought in by the Leader of the Opposition against Dr. Subbarayan. This motion only wished to express its want of confidence in Dr. Subbarayan without stating any reasons. It was obviously a motion which no member of our party could support. Had the reasons been given, that it was because of his support to the Simon Commission, at least those members of our party who had committed themselves to the boycott would have been compelled to vote for it. (Mr. Satyamurti, Hear, hear.) The motion could not properly command the support of the members of the Independent Nationalist party. The motion failed. I shall not go into the reasons why we did not vote for it. But let me say this. So far as I and my friend here Mr. Ranganatha Mudaliyar are concerned, we did our level best to dissuade our members, for the reason that I had already explained, that the members of our party should loyally support our chief, the no-confidence did not refer to the Simon Commission. In fact, even on the date preceding the actual motion, we did our level best to dissuade all members of our party from having anything to do with it. I left the previous evening with the impression that the Simon Commission motion would not come off and that the members of our party would not support it. The motion failed. Subsequent to this, I and my colleagues had an interview with His Excellency the Governor. In that interview. His Excellency again and again reiterated the fact not only that the failure of the motion was a reversal of the previous vote of the Council concerning the Simon Boycott, but that it meant an affirmation of confidence in Dr. Subbaravan. (A voice: Wonderful logic?)

"Taking what transpired in the interviews that I had with His Excellency 11-30 and considering the fact that His Excellency took the view that those who a.m. voted against the Commission were acting against the Government, I thought that I could not remain as a Minister any longer. The issue is so important

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that it is necessary that I should ask the indulgence of this House to refer to them very briefly. The proposition was that no Member of this House who was not definitely for the Commission should hold the office of Minister. I demur to that view. It meant that in any future selection of Ministers, hon. Members sitting in all sections of the House who had taken a prominent part in the public life of the country for many years and men with a distinguished record of service could have no part in any Ministry that may be formed. That is the logical sequence. Out of the 61 Members that voted for the Simon boycott, not one should be considered to be eligible in finding out our future Ministers. I think it is a constitutional issue of very great importance. It means an insult to this House. (Hear, hear)

"Besides I take the view that the failure of the no-confidence motion against Dr. Subbarayan does not, as His Excelency visited to emphasize, mean a reversal of the policy of this House in regard to the Simon Commission. The motion itself, as I explained already, is a hald motion of no confidence. It did not intend to be a motion against Dr. Subbarayan on account of his views on the Simon Commission, but the motion was purely a hald motion of no confidence. The fact that it failed or, had it succeeded, the fact of its success, would have made no difference in regard to the expressed opinion of this House. This House still sticks to its former resolution that it should have nothing to do with the Simon Commission as at present constituted. I believe the no-confidence motion has made absolutely no difference."

• The hon, the PRESIDENT:—"Order, Order. According to rule 10 (a) the hon. Member will be quite in order if he refers to the grounds for resigning the Ministership. I don't think he will be in order if he exhorts the Members of the Council as to their future conduct."

\* Diwan Bahadur R. N. Arogyaswami Mudaliyar :- "Thank you, Sir, there is only one other point that I should like to refer to. Reforms, Sir, at least future Reforms, belong to the portfolio of the hon, the Revenue Member. In matters pertaining to the administration of the reserved subjects Ministers may be consulted, but there is no obligation to consult, and if the Ministers did offer any advice the Reserved half were under no obligations whatsoever to accept that advice. Such being the case, Sir, I do not see how any Minister can be forced against his will to offer advice. In the administration of the reserved subjects, matters are decided as a rule by the Executive Council to which the Ministers have no admission and here we are or we were Ministers unwilling to take any part in this matter which concerned the reserved subjects. I see no reason why we should be forced against our will to take part in matters that do not pertain to our portfolios-in matters that have been definitely allotted to the Reserved half and that are being administered by the hon, the Revenue Member with the assistance of two special Secretaries whose pay is non-votable. I think it is very unreasonable that we should be asked to take part in this matter that does not pertain to us at all.

"I have nothing more to add except to appeal to the House in conclusion in regard to its prerogative, its dignity and its privileges.

"It should not be possible for any Government to turn out of office Ministers who are acting on the mandate of this House. (Hear, Hear.) I, Sir, acting on the mandate of this House and in obedience to it, did not do anything that this House could object to; and I certainly think that it is not for the Government to say that I was wrong. It is a matter of grave importance and I think

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the Government as well as the Ministers and Members are bound by the mandate of this House. If they chose to repudiate this mandate they would be taking on themselves a great responsibility and they would be acting against the very spirit of our democratic constitution: they will be undermining even the beginnings of responsible government. I therefore, Sir, appeal to all sections of this House to take up this constitutional point and I hope that they will with one accord say not merely that they are not going to coperate with the Simon Commission, but that they will resist with all their might any attempt at the selection of Ministers only from those who are willing to co-operate with the Simon Commission. I hope that they will resent any attempt for the exciusion of all the many prominent Members of all sections of this House, men (as I said) who have a distinguished record of service, and that this House will resist any attempt to exclude the distinguished men of this House who have taken part in regard to the Simon Commission Beycott resolution.

"Finally, Sir, let me not be understood that I am not grateful to His Excellency for his uniform kindness to me as a Minister. As a gentleman with the best traditions of the English race he was always courteons and kind. I hope I shall remember always and keep in my mind the memory of the many acts of kindness and courtesy shown to me by His Excellency." (Cheers.)

• The hon, the President:—" Under rule 10 (a), clause (3), a Member of the Government is entitled to make a statement pertinent to the statement of the Member who has resigned the Ministership. I have already given my consent to Mr. A. Runganatha Mudaliyar to make a statement regarding the grounds of his resignation. I wish to know from the Treasury Bench whether they want to make a combined statement after hearing the statement of Mr. Ranganatha Mudaliyar or to make a statement on each one of the statements."

\*The hon. Sir NORMAN MARJORIBANKS:—"Sir, if you permit me I should like to say a few words with regard to the references that have been made to His Excellency the Governor in this matter. If you consider that one statement should be made, I would leave it to the hon, the Minister."

• The hon, the President:—"I think it will be for the convenience of the House to hear the statement of Mr. A. Ranganatha Mudaliyar and to have a statement from Sir Norman Marjoribanks and also from Dr. Subbarayan. After all, as two Ministers have made two statements, the Government have got a right to make two different statements. It is a question of convenience. I wish to know the wishes of the various parties whether they want to adopt that procedure."

Mr. Sami Venkatachalam Chetti:—" Sir, if the Government waits till the other ex-Minister makes his statement and then makes a combined reply, I do not see why another Member of Government should also be permitted to make a statement. If, on the other hand, a reply is now given with reference to the statement made by Mr. Arogyaswami Mudaliyar and also if Mr. Ranganatha Mudaliyar is allowed to make another statement and another reply is made by Government, then there will be two statements."

• The hon, the PRESIDENT:—"Since there is an objection, I think the rule is positive that only one statement is to be made unless Members of Government want to avail themselves of the two different statements and to make

two different statements as contemplated by sub-rule (3). I do not think I can allow two Members of the Government to make a statement after Mr. Ranganatha Mudaliyar has made a statement."

\* The hon. Sir Norman Marjoribanks :- "In the circumstances, the one statement to be made on behalf of the Government will be made by Dr. Subbarayan."

\* Mr. A. RANGANATHA MUDALIYAR: - "Mr. President, Sir, it is one of the rights and duties of the Minister who resigns office to make a short statement to the Council, and with your permission I should like to take advantage of this privilege to explain to this House the reasons that have compelled me to resign my office as Minister

Diwan Bahadur M. Krishnan Nayar: - "My point of order, Sir, is whether the hon. Member is authorized to read his speech."

\* The hon, the PRESIDENT: - "I have already said that important statements of Ministers can be read from a written speech."

\* Mr. A. RANGANATHA MUDALIYAR: - "I use the words 'rights' and 'duties' advisedly, right because it is to this House alone that it is possible to say many things that it would not be possible to say outside, and duty because it is as a Member of this House, and upon a mandate from it that any Member is entitled to occupy the position of a Minister. This is the very basis of Parliamentary representative government; and the authors of the Reforms recognized this principle as vital, and laid it down that a Minister was to be selected from that party which commanded the confidence of the House, and he was to continue to occupy his position only as long as he enjoyed this confidence and as long as he was an elected Member of the House. It is with this object that the salary of the Ministers has been made votable; it is this principle that constitutes the fundamental difference between the position of the Executive Councillors and the Ministers; it is in this fact alone that lay the justification of the Reforms of 1920. Under the Act the choice is legally vested with the Governor; in fact, the Ministers are and ought to be selected by the Council, and should continue in office only so long as they continue to hold the confidence of the Council.

"This at least has been my point of view during all the 15 months I have had the honour to be a Minister. I have no desire to go over the whole a.m. controversy that centred round the formation of the Independent Ministry in December 1926; but this I may assert without controversy that, when the Congress party refused it, there was a general desire in the Presidency in favour of our party accepting office. The Congress party, though it refused office itself, was willing, perhaps as the lesser of two evils from its point of view, that we should shoulder the responsibility. It might be that the party thought so at the time and did not mind who held the fort, being sure, according to their calculations, of occupying the fort in a few months when they cared to do so. But, as you know, Sir, subsequent events have not justified those hopes of theirs, if they indeed entertained them, and at the close of the

year we were still left to carry on the Government even though not the "It might be asked why I did carry on for so long if the position of the party in the Council was so weak? My answer is that though weak in

strongest party in the Council.

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numbers, I knew that I had the support of the House for my general policy. (Justicite laughter.) I did not say, Sir, 'of every section of the House' but of the House as a whole. Even afterwards, whenever I felt the need for money for one or other of my schemes initiated subsequent to the Budget session, I always came to the House for its renewal of confidence and I am grateful that it was never withheld. During the latter part of last year, the House might have observed that a number of supplementary demands were included in the agenda, but could not then be moved for one reason or another. At the next meeting of this Council, many of them were omitted from the agenda. I too might have done the same with regard to my demands, for there was the probability that at the next budget they might all pass through without notice or discussion. But I would not do so ; I believed in the schemes on which I had spent so much time and labour to get to the stage when they could be submitted to the House. I clearly felt that it was my duty to take the earliest opportunity of getting the vote of the House for them so that they might be executed with the least possible delay. And I was justified in my anticipation and trust and the House passed all which I wanted them to pass."

• The hon, the President:—" Order, order. I am carefully listening to the hon. Member. A resume of his work as Minister is not quite pertinent under the rule. I might draw the attention of the hon. Member to rule 10 (a):

'A Member who has resigned the office of Minister may with the consent of the President make a personal statement in explanation of his resignation.'

"I think, the hon. Member will be in order if he confines his remarks to the grounds of the resignation instead of giving a resumé of his office as Minister."

Mr. A. RANGANATHA MUDALIYAR: —"I beg to state, Sir, that I entirely agree with the ruling given by the Chair, but I was just explaining why I resigned at a particular time and not earlier.

"Sir, I have referred to these details only to show that my belief that the House was generally with me in regard to the administration of the Transferred Departments in my charge was not altogether without foundation. Needless to say that, further, I also sincerely believed that the Reforms though unsatisfactory, were still a weapon placed in our hands to win more power and it was with that spirit that I accepted office. (Mr. S. Satyamurti: 'You have now seen what it is.') As long as the Council trusted me I was desirous of doing all the good I could do with the limited powers of a Minister. In this belief, of course, lay my sole difference with my Congress friends. (Congress Members: 'Hear, hear.') Thus, Sir, I may say that I was inspired by two principles to accept office and carry on as long as I have done, namely, my belief in using the Reforms to get more power, and my desire to shoulder a responsibility that I believed that I was called upon by a fairly general consensus of epinion to do so.

"Now, Sir, to come to the reasons that have compelled, me to resign my office. Believing myself as I did and as I still do, a servant of this House, a mirror to reflect its view, its mouthpiece, I have no doubt in my mind that whenever I found myself at variance on any fundamental principle with the views of the House, it would be my right and my duty to resign. (Hear, hear.) As an individual, I might hold any views; as a Minister I must reflect the

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views of the House on all fundamental matters, or I must resign. (Several voices : Hear, hear.) It was my position all along. That is my opinion still. It is not for me, Sir, to say how far I have kept up to this ideal during the last fifteen months; but, so far as I am aware, there is no occasion on which I have not acted up to this principle. This brings me to the vote of the House on the Simon Commission in January 25th. I need not remind you, Sir, that the advent of this Commission has caused a general feeling of resentment in the country which has succeeded in uniting all of us, irrespective of party labels and professions, in defence of the honour of our Motherland. (Mr. Sami Venkatachalam: Come here.) There are times in the history of a people when it is tested; there is no doubt in my mind that we are passing through such a time. The general feeling of resentment in the country at the advent of this Commission has been reflected in the Legislative Assembly and in most of the local Councils. And every prominent patriot in our country's cause has joined in the agitation against it. As was but to be expected, this House which but reflects the opinion of the country, passed a resolution on 25th January: 'That this Council recommends to the Government that they be pleased to convey to the Viceroy and His Majesty's Government that this Council has no confidence in and will have nothing to do with the Statutory Commission as it is at present constituted.' The resolution was carried by 61 votes against 29, 12 remaining neutral. As a Minister of the Council, elected by its reason of confidence in me, I naturally found it my duty to be bound by this emphatic decision of the Council; if I had found myself at variance with the Council on this point, I should have regarded it not only constitutional but also honourable to have resigned my office. (Hear, hear.) Whatever the opinion of an individual member of the Council may be, and whatever liberty he may have in the matter of cherishing and upholding these opinions, as Ministers we are the executive of the Council and bound by its solemn mandate. But, as it was, the decision of the Council reflected my own views, and therefore, I saw no reason why I need resign. My hon. Colleague, the First Minister, differing from my view had publicly declared his opinion with regard to the futility of the boycott of the Commission, and even in this House voted against the amendment of the Leader of the Opposition as further amended by Mr. T. C. Srinivasa Ayvangar. Thus it was clear that the Ministry was divided with regard to the resolution of the Council and had I been in the place of the First Minister, I should have felt that the only constitutional course for me was to tender my resignation. But as the House is well aware, he has not done so up to date and he has been allowed to go against the very principles of responsible Government. Having in view the anomalous position of the Ministry, as well as the unconstitutional position taken up by the First Minister, I and my colleague would have determined upon and pursued a definite line of policy but for the fact that the hon. the First Minister gave us to understand on more than one occasion that he had either resigned or was on the point of resigning and so on.

"With regard to my own decision to respect the resolution of the Council, I never maintained any secreey. I took an early opportunity to acquaint both His Excellency and the public that I was going to respect the resolution. From that time till the end of February, nothing happened to change my original views nor did I see any reason as has been advanced in one local newspaper that my holding the office as Minister was incompatible with my decision to respect the resolution of the Council. What was the

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good of my being a popular Minister as distinct from the Members of the Executive Council, if I did not represent the popular view in the Government? Nor did co-operation or non-co-operation with the Commission in any way interfere, up to the date I resigned, with the discharge of my duties as Minister. Indeed, in the Central Provinces, both the Ministers have long ago announced their determination not to have anything to do with the Commission and yet they continue in office. On March 2nd was brought forward the no-confidence motion against the First Minister and as the House is well aware, leave was not granted for it to be moved as the requisite number of 42 members did not stand up in their places. It is not for me to go into the reasons for this failure ; my concern is with the interpretation of this incident. The peculiar view was taken that the implications of this failure were firstly the reversal of the Council's resolution of 25th January, secondly its expression of confidence in the First Minister and his policy and consequently its censure of the attitude of myself and the Third Minister. I need not say that in my view this is a grotesque misrepresentation of the incident of 2nd March. But, for that very reason, I considered it my duty to myself, to the Council and to the country and even to the authority responsible for my choice as Minister to tender my resignation to His Excellency the Governor. The issue, in my opinion, was this : either the interpretation referred to above was wrong or was right. If it was right, it was my duty to resign, because I could not conscientiously carry out the decision of the Council to co-operate with the Commission. If it was wrong, it was equally my duty to resign so that the Council might have an opportunity of affirming and of re-affirming if need be its determination to boycott the Commission and uphold our right, the most sacred right of a people to determine its own form of Government. (Cheers.)

"It has been suggested in some quarters that the step I took was hasty and that I might have delayed it and waited to be dismissed. On the surface there may be something to be said for this line of argument. It might have been possible for me to get the Council at the Budget time to declare definitely one way or the other and set at rest any doubts held in some quarters. But I wish to take the House into my confidence on this matter and I declare that I fully believed that I did not resign a day too early. The position was this; I could have gone through the Budget taking upon myself the responsibility of passing the demands through. But once the Council was adjourned I fully believed that another issue would be brought forward to force me to tender my resignation so that a new Minister would have been installed in the office who for about six months would have been free from the vote and control of this House. To my mind the Simon Commission was the only issue which at the present time should determine the relation between the Council and the But, with the First Minister against me, not only on this but in many matters of administrative importance I could not be sure that that issue would not be easily clouded. Hence, if I had to resign, I must do it immediately, so that any new Ministers who are appointed may have to take the sanction of the Council for their attitude with regard to the fundamental issue on which the First Minister and myself differed.

"Again it was possible that I may have been given the same latitude that was allowed to the First Minister after 25th January to continue in office even though I was at variance with the views of the Council as interpreted by some authorities. But, in that case, I should have considered myself to have

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betrayed the trust of the Council and of the country and even of the Governor. I believe that agreement or disagreement between the Council and the Ministry on this question is of fundamental importance; and I venture to believe that whatever our differences of opinion in regard to other matters, on the point of the Commission we are one. It is because of this that I considered it my duty to resign and come back to you to ask you to uphold the honour of the House and of the country.

"One further word and I have done. Attempts are naturally being made to find substitutes for us. I have no desire to hamper them. But let us clearly understand what the implications of success in this direction would mean. It would mean firstly that this Council does not know its own mind, and is not bound by any principles. None of the 61 members who voted for the boycott of the Commission on 25th January can with any honour for their plighted word accept to co-operate with the Simon Commission. Secondly, it would mean that the Government has been proved to be right in its taunt that agitation against the Commission is mere froth on the surface, to be ignored with impunity. Thirdly, it would mean that there is no good any one of us placing trust upon the word of our people. only one answer possible, and that is, by this Council refusing consent to the formation of any Ministry (Mr. S. Satyamurti : Hear, hear) that does not explicitly stand for the boycott of the Commission. Sir, this is not a question of personalities, or tactical advantage. It matters not the least who is the Minister; it matters everything whether one should place reliance upon our word. As long as the Ministers are not allowed to act in this matter with the Council it should not be possible for any authority to form a Ministry. Much better that Diarchy should go rather than those who are entrusted with the duty and the privilege of representing the views of the Council should in reality misinterpret them. (Hear, hear.)

"Thus, to my mind, the position is this: this House should not allow the vacant places to be filled up unless it be with those who interpret the will and the opinion of the Council. The remedy is at hand, "Probably it may be intended to keep our places vacant till after the budget, and then to give the new Ministers a start of five or six months before the next meeting of the Council. If that be the idea, the only way to prevent it is by the entire omission of the salary of the Ministers. That would ensure that the Ministers who are to be appointed will be those who reflect its ylews?

\* The hon. the PRESIDENT: - "Order, order. I request the hon. Member

to reserve those remarks for another epportunity that may arise."

\* Mr. A. RANGANATHA MUDALIYAR:—S One word more, Sir, and I am done. I believe, Sir, that if ever there was a Governor who was willing to make the Reforms a success and under whom they could have been made a success, it was His Excellency Lord Goschen. But I fear the opportunity has been lost. All the same, I would like publicly to thank His Excellency the Governor for his uniform courteous and sympathetic treatment of myself and of the departments placed under me. " (Loud applause.)

\* The hon. Dr. P. Subbarayan:—"Mr. President, when His Excellency the Governor did me the honour of inviting me to form a Ministry, I accepted that kind invitation and put forward the names of the hon. Members who have just spoken as my Colleagues. (A voice: late Colleagues.) His Excellency accepted these gentlemen as Ministers on my recommendation. Some short while back I represented to His Excellency that there were

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differences between me and my Colleagues, into which I do not propose to enter at present, and that we could no longer work harmoniously, and suggested that either my Colleagues or I should part company. (A voice: Why?) His Excellency discussed the situation with them and the second and third Ministers, on that, seem to have proferred their resignations and as His Excellency was aware that a vote of no-confidence against me had failed to obtain the necessary support of the House—(Cries of No, No.)—That is the implication, you can cry no, no, if you like. (Mr. S. Satyamurti.—"He laughs best who laughs last.) (Another voice: Wait and see.) I am quite willing to wait and see."

\*The hon, the President :—"Order, order. I think the Members of the House will do well to hear calmly the statement of the sale Minister."

\* The hon. Dr. P. Subbarayan :- "I was trying to speak calmly, Sir, but if hon. Members interrupt, I have every right to hit them back, and I mean doing that. (A voice: Do not get excited:) The two Ministers proferred their resignations as I was saying, and as His Excellency was aware that a vote of no-confidence against me had failed to obtain the necessary support of the House, he felt he had no option but to accept the resignations thus proferred. (Dr. B. S. Mallayya: On your recommendation!) (Laughter.) The hon. Members who have spoken have referred to differences of opinion regarding the Simon Commission. The question of the Simon Commission is a reserved subject under our diarchie constitution. (Dr. B. S. Mallayya Who reserved it?) His Excellency was influenced by the difference of opinion between the Ministers rather than by the particular opinions held by such of them, which made him accept their resignations. (A voice: Did you resign?). I do not, Sir, now propose to enter into any detail, as I said with regard to the resignation of my hon. Colleagues, the Member for Bellary and the Member for the Central Districts Christian Constituency. It was really a surprise to me to learn from the newspapers of the 7th evening that they contemplated resignation. This was confirmed by a message on the telephone next morning by the hon. Member for Bellary who even then did not divalge any reasons for the step he and his friend had taken. The reason that impelled my hon. Friend from Bellary to take this step is contained in his letter of resignation to His Excellency which was published in the Press, for which I do not know if he chose to obtain the permission of His Excellency which is the usual procedure. I have only one statement to make in this connexion, and that is that my hou. Friends might have informed me of the step they proposed to take. Instead it is an open secret now that they summoned the Deputy Leader of the Opposition for counsel. In his lengthy statement to the Press, the hon. Member for Bellary, as pointed out by the Leader of the Opposition, makes no answer at all to the question by the Press on this point. The statement of the Leader of the Opposition issued yesterday shows why they took this step. One can also now understand why the two Ministers issued a statement to the Press about their attitude on the Simon Commission a month after the decision of the Council but just before the no-confidence motion against me in this House was tabled. It is therefore now quite clear that at least the hon. Member for Bellary had a part, however remote it may have been, in the no-confidence motion that was moved a ainst me. This cuts right across any idea of joint responsibility, or it seems to me, of any reasonable conception of the relations which should exist among men so placed as we were; because if the hon, Member for Bellary had any differences with me, it was for him to have informed His Excellency that he could not continue to serve with me as the Chief of the Ministry. Instead, he was, as the letter of the Leader of the Opposition shows, a party to the no-confidence motion against me. How any joint responsibility is compatible with this I cannot say. Besides, my hon. Friend the Diwan Bahadur, the Member for the Central Districts Christians, has always argued against any such joint responsibility. What is more, the very fact that the members of the Congress Party who always stood for joint responsibility, chose to put forward a motion of no-confidence in one Minister shows that even they were going against their professed opinions. The hon. Members will surely understand now it is not. I who has thrown to the winds the idea of joint responsibility of the Ministers. That charge, Mr. President, must be laid at other doors. (Applause.) (Mr. S. Satyamurti: It seems an afterthought.)

#### VI

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1927-28.

#### Grant III.

\* The hon. Mr. A. Y. G. CAMPBELL :- "Sir, I beg to move

'that the Government be granted an additional sum of Rs. 54,000 under "Grant III—Stamps—Reserved".'

Mr. G. Harisshwottama Rao:—"On a point of order, Sir. We have not known yet who the Law Member is, and this is now being moved by the hon. Mr. Campbell. I do not know whether he is in order in doing so."

\* The hon, the PRESIDENT:—"The hon, Member may take it that Mr. Campbell is the hon, the Law Member."

The hon. Mr. A. Y. G. Campelle. —"As I said, under the amendments introduced by the Finance Act of 1927 into the Indian Stunp Act no stamp duty is leviable on cheques drawn on or after 1st July 1927. On that date the Banks and other bodies in this Presidency had in their possession a large number of unused cheque forms which had been stamped. In accordance with the provisions of the law, the stamp duty levied on those cheques had to be refunded. It is to meet the cost of these refunds that this additional amount of Rs. 54,000 is required. I beg to move that this sum be granted."

The hon, Mr. T. E. Moir seconded the motion.

- \* The hon, the PRESIDENT:—"The question is that the Government be granted an additional sum of Rs. 54,000 under 'Grant III—Stamps—Reserved'."
- \* Sriman Biswanath Das Mahasayo:—"Sir, I stand to oppose the motion for the grant of Rs. 54,000. The reason is this: The Government have time after time given us promises to reduce the enhanced stamp duties levied since 1922. In 1927, on the budget discussions, the hon. Khan Bahadur Mahammad Usman Sahib Bahadur made the following statement."

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The hon. Mr. T. E. Moir :- "Cannot the hon. Member come and speak in one of these loud speakers, Sir? We cannot hear anything that he says."

- . The hon, the President :- "This is a supplemental grant for a special purpose. The hon. Member will not be in order to raise a general issue of the reduction of stamp duties on this. I think the House has already been acting on this principle. As regards the supplementary grants, the remarks must be pertinent to the purpose for which the demand is made.'
- \* Sriman Biswanath Das Mahasayo :- "Sir, I bow to your ruling, but my point is that we must oppose the whole grant because nothing has been so far done. I propose that the whole grant be rejected."
- \* The hon, the PRESIDENT:-" I take it that the House is ready for a vote on the grant.'

The motion was put to the House and carried and the grant made.

\* The hon. Mr. A. Y. G. CAMPBELL :- "Sir, I beg to move

'that the Government be granted an additional sum of Rs. 5.51 lakhs under Grant III—Stamps—Reserved."

"This sum is intended to meet the Provincial share of the cost of stamps under an arrangement made with the Government of India. Prior to the introduction of the Reforms, 'Stamps' was a divided head of revenue. The expenditure on the supply of stamps from England to the provinces was borne in the first instance by the Central Government, and as stamps were issued from the Provincial depots for the use of the provinces, their cost was debited to Provincial revenues by a corresponding credit to Central revenues. Under the Reforms, Stamps became an entirely Provincial head of revenue with effect from 1st April 1921; but the revised procedure for the adjustment of the cost of the stamps supplied to the Provincial Governments was not introduced till 1923. In that year the Government of India decided that all stamps supplied 12-15 from England to the provinces should be paid for directly from Provincial p.m. funds. Then the question arose as to what should be done with regard to the value of the stamps which were in stock in the Provincial depots on 1st April 1921 and of the stamps supplied to the Provincial depots during the two years 1921-22 and 1922-23. These questions were discussed at a conference of financial representatives of the various provinces at Delhi in November . 1925 and it was agreed that the stock of stamps on 1st April 1921 in all the Provincial depots and in the Central depot at Calcutta should be pooled and that one-half of the stock thus pooled should be credited to the Central Government and that the other half should be distributed between the Provincial Governments. In accordance with this arrangement this Government has to make a payment of 5.51 lakhs to the Government of India during the current financial year and it is to meet this charge that I move this resolution."

Mr. R. SRINIVASA AYYANGAR :- "Lest it should be understood that the House is in favour of this motion I formally oppose it."

The hon, the PRESIDENT :-- "I take it that the House is ready for a vote."

The motion was put and adopted and the grant made.

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The hon. Mr. A. Y. G. CAMPBELL: - "I beg to move

'that the Government be granted an additional sum of R\*, 1,300 under "Grant III—Stamps—Reserved—7 (b) (a) Stamps—Judicial— Charyes for the sale of Stamps"—Discount on sale of copy stampgraphers'

"This sum is required to enable the Government to pay discount due to stamp vendors on the value of stamps sold by them. It is extremely difficult to say exactly how many copy stamp-papers will be required during the year for sale in the whole presidency. After considering the figures for the first nine months of the year it is anticipated that the amount sanctioned by this Council in the budget estimates will be exceeded by Rs. 1,300. I therefore beg to move that this additional sum be granted."

The hon, the PRESIDENT:—— The question is that the Government be granted an additional sum of Rs. 1,300 under Grant III—Stamps—Reserved

-7 (b) (a) Stamps-Judicial-Charges for the sale of Stamps.

"I take it that the House is ready for a vote."

The motion was put and adopted and the grant made.

## Grant XI.

\* The hon. Mr. T. E. Moir: - "Mr. President, on the recommendation of His Excellency the Governor I move

that the Government be granted an additional appropriation of Rupees 64,400 for refund of lapsed deposits under Grant XI—General Animistration—Miscellaneous—Reserved—XXXV. Miscellaneous—Deduct Refunds:

"This motion relates to deposits which have under the existing rules been credited to Government. The existing rule is that all deposits left unclaimed for the last three years will be credited to Government. It is difficult to anticipate at the beginning of the financial year what the amount may come to. But on the basis of the accounts of the previous years claims for refund in the ourrent year are likely to exceed by the amount of the additional supplementary grant for which I now ask."

\* Rajkumar S. N. Dorai Raja :- "Mr. President, Sir, may I be allowed in this connexion to request the hon, the Finance Member to be pleased to tell me why the amounts of private parties' deposits entrusted to the Civil, Revenue and Criminal Courts lapsed to Government and why no arrangements had been made to send registered notices to the parties concerned at their cost for receiving the amount if they exceeded in each case Rs. 100 and to send the amount to those concerned by postal money order if the amount did not exceed Rs. 100 in each item? Further the procedure adopted by Government in the Civil Account Code, Chapters XII and XIX is circumlocutous and costly throwing needless work and avoidable financial responsibility. Post and prepayment audit in all district and mufassal sub-treasury offices costing on the whole Rs. 3 lakhs to our Government in the shape of maintenance of deposit transaction—forms, monthly returns, stationery and staff, etc.—can be put a stop to, as in the case of medical deposits in the Courts. These deposits may be invested in the Post Office Savings Bank or in the Post Office Cash Certificate system. I commend these suggestions to the favourable considerations of the Government".

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- \* The hon. Mr. T. E. Moir.: "Mr. President, as far as I am aware, refund is given in the Courts also and I shall be surprised to find it is not so. I shall however certainly go into the question; I am sorry I cannot say anything further on that point."
  - The hon, the President:-"I take it the House is ready for a vote."
    The motion was put and adopted and the grant made.

#### Grant XV.

\*The hon. Khan Bahadur Muhammad Usman Sahib Bahadur:— "Mr. President, Sir, on the recommendation of His Excellency the Governor I move

'that the Government be granted an additional appropriation of Rs. 3,05,880 under "Grant XV. Police—Reserved" to must the expenditure anticipated during 1927-28 in excess of the Budget provision."

"Hon. Members of this House will remember that during March last when the Police budget was before this House five laks were ent down. The Government tried to manage their expenditure with the amount succioned by this House. After eleven months' experience we find we have to meet an expenditure of Rs 2 60,000. Further, Sir, due to the disturbances on 3rd February in connexion, with the hartal and the threats of further hartals we had to provide for extra police and this caused an additional expenditure of about Rs, 42,000. I therefore move that the supplementary grant be made."

\* Mr. A. Kaleswara Rao :- "I rise to move

'that a cut of Rs. 100 be made in the aliotted sum of Rs. 3,05,880 for

"I move this cut in order to censure the cenduct of the Government in introducing the extra police into the City of Madras after the famous hartal. I submit the action was unwarranted. There was no necessity for bringing the police except to frighten the people and suppress all demonstrations of boycott of the Simon Commission, afterwards. Otherwise where was the necessity? Even the unfortunate disturbances that took place on the hartal day were due to the neglect on the part of the police to discharge their ordinary duties. With ordinary precautions these things could have been avoided very easily. What the police seem to have done in this case as has been seen one various similar occasions in other parts of the country, was to abstain from doing their duty and allow the rowdy elements to have their own way to provoke the masses and when the masses become restive or show signs of anger then they come with their force, terrorize everly class and demoralize the situation. Thus the Government, in this case also, after those unfortunate incidents, have taken advantage of the foolish action of a few misguided people, abused the power vested in them by passing an order under section 144 of the Code of Criminal Procedure which was intended.

\*The hon, the PRESIDENT :- " Reference to this topic is not relevant."

\*Mr. A. KALESWARA RAO:—"After this there has been a talk of disobedience of the order and further demonstrations of the boycott. But with the police at their command and with appropriate precautions all sorts of disturbances would have been very easily handled if any such thing takes place. The leaders of the Boycott Commission were for peace, the people were for peace. Even if a few disturbances took place the people felt they

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could manage things in a much more peaceful way. I submit there was no necessity for the extra police. What does the action of the Government—parading the streets with the police force, armed with guns and swords in motor buses both night and day—show except the fact that behind them there is the brute force? Really the Government ought to be neutral when an important Royal Commission comes to visit the country. It comes to find out the real feelings of the people, but the bureaueracy does everything to give a false colouring to the situation. Collectors have abused their influence in inducing the presidents of local beards, and chairmen of municipalities to get up a reception."

The hon, the President: -"The attitude of the Collectors will not be in order."

order."

Mr. A. Kaleswara Rao:—"This bringing in of extra police into the City of Madrae is part of the arrangement made by the Government through its servants and its officials to give a false colouring to show that the Government has a large following and that in spite of the resolutions of the great political associations like the Congress, Muslim League, Sikh League, Liberal League and Liberal Federation and the resolutions of the Conneil and the Assembly, the people are with the Government and they are ready to welcome the Commission and are willing to prolong the British antocracy for an indefinite time. I therefore move that the cut be accepted."

\*The hon, the President:— The question is that the allotment of Rs. 3,05,880 under Grant XV Police—Reserved be reduced by Rs. 100."

\* Mr. Basheer Ahmad Sayeed :- "Mr. President, Sir, I rise to support the motion of my hon. Friend Mr. Kaleswara Rao, with a view to express the want of necessity for having drafted special police from Malabar for arrangements in connexion with the Simon Commission. If the Government of Madras and the City Police had taken ample precautionary measures to see that the rowdies were not abetted by their own underlings there would have been no necessity for drafting special police at a huge cost of Rs. 8,500. The recklessness with which the police handled the situation on the 22nd and 29th January on the beach in the Tilak Ghat, and the way in which they mismanaged the situation on the 3rd February near the Iron Bridge, in parts of Triplicane and Trivatecsvaranpet go to show perfectly clearly that the police officials concerned abdicated wholesale their function for two weeks. Mr President, the police instead of having acknowledged their failure to take the situation in their hands did worse things. There was absolutely no justification for bringing extra police. The police that they had at their command were made, I say this deliberately, to stand quiet when people were being assaulted by rowdies. The rowdies, I have evidence to show. were egged on by responsible Government officials to do their misdeeds. These rowdies were molesting honest and peaceful citizens and the Government whose duty it was to protect their life and property were quietly locking on unconcerned. The British Government that is carried on in this country has got enough brute force behind it; why not that be brought into play to assure the safety and security of the peaceful citizens, nay, of the loyal and law-abiding citizens who are co-operators and, above all, of Government servants? When the Government servants were assaulted what did the police do especially in the southern division? I ask for an explanation from the hon. Member who has taken charge of this subject-perhaps he may not be

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able to give one having taken charge of it only so recently—as to why the Government in the Police department failed so miserably to take any effective action on that day.

"There is also another ground on which we on this side of the House are opposed to this grant. The original demand in the last budget for police was reduced by five lakhs by a vote of this Council. Government say in their explanatory note that this cut was accepted by them and given effect to by reducing the provision under such and such heads. But is this the way to give effect to the vote of this Council?"

\* The hon. the PRESIDENT: "The hon. Member is aware that the motion now before the House is that of Mr. Kaleswara Rao and his object in making the motion is to discuss the necessity of the special police that was brought to Madras and the conduct of the police on the 3rd February. Any remarks beyond these two matters will not be pertinent to this motion.

\* Mr. Basheer Ahmad Sayeed: - "Mr. President, I hope I will be

given an opportunity later on to refer to this aspect of the question."

\* The hon, the PRESIDENT :- "If the hon. Member catches the eye of

the President he will certainly have an opportunity."

\* Mr. Basherr Ahmad Sayerd — The other point that I want to mention is that the special police is a huge waste of money and is a drain on the country's purse. The police, especially the Malabas Special Police, went round the city, even into narrow streets and was a source of great nuisance to the citizens who were carrying ou their usual husiness."

Mr. A. Kaleswara Rao :- "With regard to the misconduct of the police

I do not think I referred to that subject.

\* The hon, the PRESIDENT :- "If I remember aright, the hon. Member

did refer to that question."

\* Mr. Basheer Ahmad Saveed :- "The special police was the cause of a great nuisance to traffic; cars and carriages had to be stopped, and what about the accidents that occurred? I it is for this that we are asked for a vote on the supplementary grant for Rs. 8,000. The special police was absolutely unnecessary and the ordinary police would have been sufficient if only they had done their duty. They did not do so; they lacked courage which they needed greatly. They lost their equilibrium and threw the city into confusion and disorder. They had no self-control and committed many atrocities which are being investigated and will be published by the com-mittee appointed for the purpose by the Congress. We need not anticipate all that they have to say in the matter. It is only surprising that even after the lesson of the two previous instances was brought home to them as to what their duty was in a situation like that, the police did not take care to prevent such incidents, but simply abetted the various acts and misdeeds committed by the rowdies. The rowdies were allowed a free hand and even encouraged by the police by their acquiescence and indifference. Even a band of the military which was drafted for the purpose of restoring order, which was supposed to have been disturbed, while it was marching from the Fort to the Iron Bridge, would not take any notice when heaps of stones and shells and glass pieces were thrown on innocent and law-abiding citizens whom the Government is supposed to protect. The police atrociously failed to discharge their functions as custodians of law and order and the Government have

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equally failed to do their bit in securing safety of person and property even to their own supporters. In these circumstances it is quite unfair and unjust that we should make this grant."

- \* Dr. B. S. Mallayya:—"Mr. President, Sir, I support the motion of my hon. Friend Mr. Kaleswara Rao. Since he has not referred in detail to the mismanagement or rather the misconduct of the City Police during the disturbance of the 3rd, I shall make a few remarks and criticisms on that matter.
- "The nucleus of the large crowd that gathered on the Esplanade had its origin in front of the toddy shop opposite the Kothwal Bazaar gate and it consisted of coolies, cartmen and rickshawalas. They marched down Anderson street inviting their friends there to join them, they now turned into Stringers' street and made Pearl & Sons, Furniture Makers, to close down. They next held a mild demonstration in front of Messrs Hoe & Co., which was soon closed. Here also the workmen joined them and they went next to another large printing office-the Ananda Press-which was also promptly closed. The workers of this Press too joined the crowd. crowd thus swollen next turned into Broadway, and, finding the Harrisons open, called on the workmen there to come out and join them. The proprietor, it is said, was willing to close the shop, but before he could make up his mind. a tussle ensued between the crowd and the servants of the shop resulting in a miniature battle of bottles causing some damage to the glass panes. Policemen soon appeared on the scene and arrested a few from the crowd. This aggravated the feeling of the crowd who demanded the release of the arrested men, and to this the Pelicemen said that they would take down the names of the arrested men at the tanna and then let them go. The crowd agreed to this and followed them to the tanna, but they met with disappointment there. The news of the arrest soon spread throughout Sowearpet and Mannady and large crowds gathered in front of the Law College Police station."

The hon. Mr. T. E. Moin :- "May I ask the hon. Member whether he

is giving first-hand information or second-hand information?"

\* Dr. B. S. MALLAYYA: - "Personal information, Sir. I may tell the hon. Member that I was there personally watching the whole situation and there was another hon. Member of this House also, the hon, Member from Salem, with me. I am giving my own version of it and also the public version. It is for the House to come to an independent judgment on this question of the police. The crowd had then become very large, and occupied the whole space between Miller's statue and the Esplanade Theatre. Though it was large, the crowd was quite peaceful except for a few stray cases of stonethrowing by urchins and would have dispersed if the arrested men had been released on bail. Trouble now started as the Police officers charged and recharged the crowd on foot as well as on chargers. The tragic incident of the whole affair took place at about 11 a.m. when a car in its attempt to go into the High Court compound ran over a police constable and also knocked down a few bystanders. The driver of the car at this incident got panie-stricken, deserted the car, and went inside the High Court. The bystanders, seeing the driver thus abandoning the injured and fleeing, shouted to him to come out and take injured persons to the hospital. In the meantime, it is said that some one of the dittle fellows dropped a lighted beedi into the petrol tank which naturally caught fire. To see the tamasha of a burning car some of

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the crowd got into the High Court compound and in the High Court itself there was a regular commotion. But the situation was promptly brought under control by two of the hon. Judges coming out an l asking the sightseers to clear out of the compound. The crowd implicitly obeyed the Judges. They had no regulation lathies or firearms and yet their orders were promptly obeyed, while, on the other hand, the police were constantly charging the crowd and using their authority in an aggressive manner, causing resent-ment in the crowd. That huge crowd of about 10,000 was perfectly unarmed. They had no sticks, they had no crude swords of the Pulivanthope fame or brickbats in their possession. Little urchins nearly naked were only having a fling at the Police sergeants and officers whenever the latter charged on them. One of the stones unfortunately seems to have hit the Assistant Commissioner on the chin. If this officer had not put on a big white court plaster cross on his cheek and made himself prominent with this pin-point wound, and roused the feelings of his own men, much trouble could have been avoided. But one never thought that this plastoring of the cheek would provide work for photographers and the dailies, and cause a sensation all over the Presidency.

"My own impression is that if this officer had left the scene or, better 12-45 still, put on a white cap on the top of this plastering, he would have p.m. commanded implicit obedience from the crowd and it would have even applauded him. The Commissioner of Police, the Presidency Magistrate and other officials who arrived later on were moving among the crowd freely, particularly the Presidency Magistrate. He commanded more respect and obedience than any other official prescut there. It is regrettable that this officer should have given the order for firing on this unarmed and peaceful erowd. The Presidency Magistrate seems to have resisted the demand for the order to shoot for a long time, but he had to yield to the persuasion of the Commissioner of Police. Four rounds of buckshot and six rounds of ball cartridges are said to have been used and the casualties are one killed and eight or nine injured. Considering the quantity of ammunition used and the density of the crowd, the killed and injured may be said to be very few and the public are extremely grateful to the twelve reserve police constables who formed the firing squad. They must have detested this butcher's work and used all their skill in avoiding the crowd at this point-blank range. If anybody is to be promoted and commended for good work in this regrettable crisis, it is the constables of this firing squad. It is a pity that the Press photographers missed them. The object of this firing was dispersion of the crowd, but it failed miserably. The dead body of the poor victim who died that day -a member of the depressed class whose welfare is the one grave concern to Lord Birkenhead-was placed on the tram line by the crowd which then invited the police to fire more rounds of ball cartridges at them

"Sir, by this time the police authorities realized their mistake and helplessness and promptly called in the military from the Fort and coolly withdrew from the scene of action. After this there was no stone-throwing or rioting, The mob was not armed. Neither had it any tendency to incendiarism. The fire in the Press room of the High Court is stated to be the smouldering of a bit of paper set on fire by the remnant of a burning cigarette. If the crowd had been so inclined, they could have easily set on fire the two or three petrol tanks and pumps situated near by in an exposed condition. This shows that

they were not incendiaries. The only charge against the crowd was that they were throwing stones on the police. But they did not take to stone-throwing in a body. Had they done so all the police officers would have been buried under a heap higher than the Miller statue. Stoning according to the statement of the Commissioner himself was done by urchins. They wanted the crowd to disperse and according to them the quickest way of doing it was by resorting to firearms. Evidently the police thought that the crowd was made up of crows to fly off at the sound of firearm or ducks to disperse at the sight of blood. But they proved to be men prepared to meet death or any injury at the hands of the police. The shooting under the circumstances was a blunder. It did not disperse the crowd. It only elevated the souls of two depressed-class persons Parthasarathi and Subban to heaven and they will be a Coroner there and the police will not have a chance of investigating their crime and finding a verdict of death caused by shooting in the legitimate discharge of their own duty.

"The formation of large crowds on the Esplanade and their defiance of the police orders, a car running over a constable, knocking down some bystanders and its subsequent burning, stoning of the police, mounted charges on the crowd and the regrettable shooting on the unarmed crowd by the police, the indiscriminate stoning of the cars and other ugly incidents could have been easily avoided by the police if they had any commonsense in them. The whole affair had its origin in the arrest of a few persons in front of Messrs. Harrison & Co., and those were arrested by reserve police from the Muttivalpet division. If these men under arrest were taken to the Mannady police station there would have been no growd at all on the Esplanade. The police knew that Esplanade was the storm-centre full of inflammable material. There were students from the Law College, the Christian College, Pachaiyappa's College and the Govindappa Naick School; also coolies, cartmen and basket-makers without any work that day. It looked throughout this regrettable episode that the police were out to vindicate their authority and not to prevent disturbances. When the officers arrived in a fire-engine and saw the motor-car burning in the High Court compound, it did not strike them to send for more fire-engines to put out the fire, but their minds seemed to be concentrated on opening fire on the unarmed crowd. If dispersion of the crowd without any injury to anybody was their object, they could have easily done it by opening half a dozen fire hoses on the crowd as is usually done in America and other countries during similar circumstances. Cool judgment and commonsense seems to have given place to panic. After 8 p.m. when everything was quiet the police in that locality who were till then posing themselves as custodians of law and order assumed the role of cowardly budmashes to injure and waylay peaceful and respectable citizens going to their homes for their avocations. Are you a Congressman : do you want Swaraj; have it now, and down came the lathi on the back. This was the secret motive of all their actions that day.

"After mismanaging everything, more police are drafted into the City and made to parade the streets, going into lanes and by-lanes; where other buses were not allowed, the buses carrying the police were allowed to go into these lanes with their guns exhibited prominently; one of the buses knocked down a poor man by pame Madar Singh on the road; and he was sent quietly to the next world. Unfortunately he belongs to the depressed classes for whom

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the Government are very anxious to do something. I would put the question to the hon. the Law Member, what he has done for the family of the poor unfortunate victims of police zoolum? You have killed their earning members ; what have you done for their dependents? Have you made any provision for their dependents or are you going to send them to Andamans for voluntary colonization? Is that the work of the police? Is such a thing to continue here and if so, for how long? They want money; they want our lives too. I hope the whole House will join us and vote for the cut."

Diwan Bahadur M. Krishnan Navar:— Sir, I do not like to give a silent vote on this motion. I shall explain my position with regard to the vote that I and many of my friends on my side of the House are going to give. One of the primary duties of the Government is to protect law-abiding citizens. When hartal was declared on the 3rd February I have no doubt that the organizers of the hartal had no intention whatever of hurting anybody; they wanted to confine their energies to hartal and not to disturbances. As some of us know, declaration of hartal leads to certain natural and probable consequences and these natural and probable consequences actually took place. When a hartal is declared on occasions like the last one rowdies naturally come out and that is the proper time for them to excercise their energies. People in Madras and in the Presidency were not surprised when these rowdies were very much in evidence on the 3rd February. It is admitted-there is no dispute-that persons who were opposed to the hartal, the rowdies, and the people who were in favour of bartal were mischievous in their activities. I am told—I was not here at that time—that in Triplicane and in some other places innocent people and particularly Brahmans were burt very much 1 p.m. by rowdies. They went about the streets on the night of the 3rd crying "Bomman Marko" which I am told means "beat the Brahmans" and they went about the streets hurting innocent people, particularly Brahmans. This is the natural and probable consequence of the declaration of the hartal on the 3rd February. I believe the Government are seriously to blame with reference to their non-action on the occasion. As a matter of fact, if the Government had taken proper precautions to prevent mischief and to prevent hurt, the damages that were caused to certain people and even the deaths that took place would have been prevented. So, the Government, in my opinion, is certainly to blame for the non-action and want of care and attention on their part. But how can the Government be blamed for profiting by their experience and by their mistakes? They learnt by their mistakes and by their experience on the 3rd February that they committed a blunder and to rectify this blunder they took adequate precautions to prevent a similar occurrence. It was for that purpose that this additional police from Malabar was brought to this City.

"I submit that one of the fundamental and primary duties of the Government is to preserve law and order. I state that Government would have been seriously to blame if they had not taken this additional precaution of bringing down the police to this City to prevent a similar occurrence. As I was listening to the speeches that have already been made on this motion. and the many statements which the speakers were making with reference to the people who were hurt, I thought that the speakers were arguing against their own motion Sir, I see no reason whatever to vote against this grant and I have the pleasure to give my vote against this motion.

\* Mr. R. SRINIVASA AYYANGAR :- "Mr. President, Sir. The speech of my hon. Friend Diwan Bahadur Krishnan Nayar was rather perplexing to me. It seemed as if he was giving his entire and whole-hearted support to clause (2) of the amendment which runs as follows:

'To discuss the misconduct of the Madras City Police in abetting the rowdies in molesting, injuring and preventing peaceful citizens from attending the Simon boycott meeting at the beach on 3rd February 1928.'

"In the course of a fervid and impassioned speech, he made his position quite clear by saying that the police did not rise equal to the situation and that they exhibited their incompetency to manage or handle the situation that was created on that day. Sir, nobody could think of the happenings of 3rd February without a sense of resentment and indignation. The whole of the speech of my hop. Friend-which was by the way a left-handed compliment to the police—breathed a spirit of condemnation at the action of the police. He used the terms 'Inaction' and 'non-action.' The effect of his speech was a direct condemnation of the action or non-action of the police who had been unable to manage the situation that was created on that day. It looked as if disorder reigned supreme and was allowed to have its full sway. The reports of the happenings of the 3rd that appeared in the papers, the materials that have been collected since and the report of the Police Commissioner, all these make it perfectly clear that the police instead of handling the situation were winking at, and egging on or otherwise assisting, some of these rowdies. So far as disorder was concerned, it is common ground, and every right-thinking man will agree, that the disorder was brought about not by the peaceful boycotters but by the rowdy anti-boycotters assisted by the police. It is abundantly clear from the various reports, and it has been partly admitted by the Police Commissioner in his report, that the police were winking at or permitting unconcerned the way in which peaceful citizens were handled. Are they paid for that? Are not they there for maintaining peace and order? Instead of discharging their duty, to their eternal shame and descredit, we have had the spectacle of these men standing there without rendering any help to the unfortunate victims. It was here that the police deserved the strongest condemnation.

"Now, with regard to the bringing in of this additional police to Madras, I was here on the 26th and the following days and it brought to my mind the memory of a zoolum; it appeared as if the whole City was in a state of siege, that the whole of the City of Madras was practically under the military zone; a state of things hardly satisfactory to the people and hardly creditable to the Government. Instead of spending this money on the drafting of this extra police. Government would have been well-advised in spending one or two hundred rupees with a view to find out these rowdies and take steps to paralyse their activities. On the 27th I saw policemen patrolling the streets in armoured cars, and a posse of policemen patrolling the streets with arms and rifles, as if Madras was waging war against the Government, and this kind of consternation was necessary to coerce people into submission This was hardly a desirable state of things. I regard it as an insult to the House and to the fair name of the City. We cannot take the insult lying down. No word will be too strong to condemn the action of the Madras Government in this matter. I support the motion."

\* Mr. C. S. GOVINDARAJA MUDALIYAR :- "Sir, I rise to support the amendment moved by my Friend Mr. Kaleswara Rao. The facts of the case have

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been put forward to a great extent by the previous speakers. The conduct of the police on that day in abdicating their functions is a matter for serious condemnation. Anybody who had been about the place of occurrence of these incidents on that day would have seen how the police were not only guilty of abetting, but they were cool and unenergetic. My hon. Friend the Finance Member put the question whether my friend Dr. Mallayya was speaking from hearsay knowledge or whether he was speaking from first-hand knowledge. I saw a posse of these policemen stand near the Round Tanna, and what do you think was witnessed there? The police were coolly aiding the rowdies in wrecking the procession of Congressmen. A car was molested by the rowdies. All the time the policemen who were on the spot did nothing to prevent the rowdies from molesting the passers-by. It is for these policemen that support is sought now.

The hon, Mr. T. E. More:— Before saying that the police abdicated the powers, will my hon. Friend tell us if he made a report of the incidents which occurred on that day to the police efficers,?"

Mr. U.S. GOVINDARAJA MUDALIYAR:—"My answer, Sir, is this. There was not only abdication of the powers by the Government in the Police department but there was abdication of the Government in other departments including the Magisterial."

The hon. Mr. T. E. Moir: - "Sir, with reference to my question, I do not know which he means, yes or no.

Mr. C. S. GOVINDARAJA MUDALIYAR .— Mr. President, Sir, unless you take away that interdiction on any mention of section 144, I will not be in a position to effectively answer him.

a" Now, Sir, with regard to the drafting of this extra police from the mufassal and charging the public revenues for their travelling expenses, it is one of those acts of indispertion, one of those acts which deserve condemnation from every right-thinking man. The necessity for this has not been made out, except the bald statement that these were necessitated by the events that took place on the 3rd February and the bartals that were declared. Was any public enquiry instituted? It is no use saying that the action of the Congressmen brought about these distributes and apportioning the blame to them. There have been demands made upon the Government to institute an enquiry. Is it because that they fear that the result of the enquiry would be that they would be found in the wrong, that they fear an open enquiry?

"Sir, the activities of the specially imported police have been witnessed with seorn and disgust by the peaceful citizens of Madras. They were an eyesore to every one who saw them. The Malabar police were stationed with muskets and bayonets at the entrance to the High Court and they blocked the entry of people into the Court. Such was the terror during the Simon Commission's visit that the police locked up one of the gates of the High Court. Was such undue alarm and panie necessary? The less said about it the better. These demonstrations were organized to cow down people; to prevent them from giving vent to their feelings of resentment at the manner in which the visitation of the Commission was thrust on them.

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1-16 It is only a pretence to say that they were necessary to keep the peace. It is only a pretence to say that they were there to prevent future possible disturbances on a future possible hartal. They were to be found on the wake of the Simon Commission. They were here, there and every where, where the Commission went. It is purely for engineering the so-called demonstration in favour of the Simon Commission and to prevent any popular demonstration against them. It is for this purpose that the whole of the armed police had been brought in. It is a pretence to say that hartal was the objective for which the police had been brought in. There has not been shown a single instance as to how the police were able to do anything during the week or so of their stay in the City of Madras. It therefore append to all sections of the House to show their condemnation of the action of the Treasury Bench in having done this most unnecessary and offensive thing in tringing this extra police into the City of Madras.

\* Mr. G. HARISARVOTTAMA RAO :- "Mr. President, Sir, the police have only to shoot and all justifications have to be established by the Government. That is the law of the Indian bureaucracy and the demand made of this House is in proof of that law. We are asked to vote for the posse of police marching through the streets in the City of Madras. For what reason? For keeping the peace of the City of Madras? We see no necessity for spending money upon this band of policemen. What did they achieve for the people in the City of Madras? These are questions that should have been considered very carefully before a demand of this kind is brought before us. I was here on those days when these estimable gentlemen with long batons and muskets and drawn bayonets were enjoying the holiday in the streets of Madras which were absolutely deserted at the sight of these great friends. I know how little the British Government looked in the eyes of the people at the time and how they felt that the British Government was so bereft of commonsense that they wanted the protection of the special police for the Simon Commission which the whole country boycotted. I know also, Sir, that this special police which went round the streets had no duties to perform at all except going round in impressed buses. Madras is a big city and Madras has a great deal of reserve physical force at the command of the Government There is the military within the Fort St. George and as a matter of fact the military has been utilized now and then to keep the peace in this place and there are further forces at the command of the Government Yet here is a surcharge made upon the revenues of this country, merely to penalise the people, merely to cow them down and merely to tell them that they are a subject race. Take the report of the Police Commissioner. What does it say? It does not say that there was anything very very serious on the 3rd, that there was anything which required all these precautions on the side of the Government. He makes out a case for the action that the police took in the ordinary course of business and he says that but for the indiscretion of Mr. Moresby and the indiscretion of the employees of Harrison Company nothing serious would have happened. And fancy the place where the firing took place. It took place not before Harrison's where the disturbance took place, it took place not at the High Court where Mr. Moresby was indiscreet but it took place elsewhere. Under what circumstances? At the defiant attitude of the multitude. I have known what is a 'defiant attitude .' By the courtesy of the Government I was in, jail. I know the convict's defiance. The prisoner has merely to look at the warder in protest of the teasing he is subject to and he is beaten blue

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almost to death. That is the defiance that the subject race is guilty of towards the British Government. The British Government cannot tolerate this defiance. They cannot tolerate the attitude of the people in trying to carry on hartal to a complete success. The British Government must perforce take advantage of some small trouble here and some small trouble there and teach the nation a lesson. But for that attitude of the British nation, I am sure this force is an absolute superfluity in the City of Madras. Government cannot plead that it could not command at any time sufficient physical force to keep peace in Madras. They cannot plead that they have not arms in Madras. They cannot plead that they have not enough of policemen. I remember the day of boycott when the Duke of Connought arrived. There was no need for special police then though there was some small violence. There was boycotting then. I was there at the time. The one argument that does not appeal to me is this. With the force that they had in the city why should the special police from Malabar have been drafted and should have been made to parade in the streets at a time when the whole machinery that had declared hartal had called it off? Why should they persist in going with this force round the city? Why should they come to us for this wonderful grant? I am unable to understand any reason except this, that the British Government in India, the bureaucratic part of it especially, is unwilling to stand the slightest protest from the people of this country and is willing to wound the popular feeling whenever an opportunity occurs. Except on that basis of political policy I do not think there is any reason for this grant. I do not know how my friends on the Treasury Bench will be able to substantiate the demand (A Voice: They have got votes). I know they have got votes and they can create votes by offering and promising the Law Member's place, Unless the Government have more responsibility in themselves, unless they are prepared to behave better towards the people of India as they would behave towards their own people in their own country, unless they are prepared to come down and say here we are your bretheren, working what we call the reform scheme, trying to help you to achieve self-government and therefore we shall be amenable to every sort of humane influence,' until they come to that attitute of mind it is our bounden duty, on this side of the House, to tell them very plainly that they shall not have grants of this nature and that they would not be permitted to shoot down our people for very insufficient grounds and then put upon us very heavy economic burdens. One of the hon. Members of this House referred very sympathetically to Brahmans and others who were molested on a particular day. Of course molestations of Brahmans and others have become the rule under the British Government because the British Government is willing to play to the police raj. They are prepared to support the police. It is in their favour that the demand is made. Therefore the police may look over the molestation of anybody but they cannot look on the molestation of their own men. The Duputy Commissioner of Police managed the matter all right under admittedly difficult circumstances. The advent of the Commissioner introduced the defiance. I do not know why the same set of men who were managing the things so well in circumstances of pressure, under circumstances admittedly troublesome should have failed to manage the situation when there was no such difficult circumstance. Why should they fire then is not clear to me. To suggest that special police was required in Madras where there was sufficient physical power at the command of the Government and to ask for grants for the same does not stand to reason at all. I can see only one reason and that

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is the prestige of the Government. I therefore appeal through you, Sir, to the Members of this House that this demand be thrown out."

\* Rajakumar S. N. Dorai Raja: - "Sir, I congratulate some of the hon. Members of this Council for creating an opportunity of letting their pent-up gas bottled up for such a long time. (Voices: Hear, hear, and 'What is yours?) I am a nominated member. (A voice: His case will be prepared by Government for him.) I am a member nominated by the Government no doubt and I am proud of it. I have got only my country and my conscience to think about. (A voice: Of the Government.) These gentlemen sat there like whipped dogs when the no-confidence motion was brought in the Council. They swallow their conscience whenever necessary and can even explain it away and change their political lines as often as a chameleon and they naturally indulge now in the common talk given to all condemned men at the sight of the scaffold. They are used to calling the tune and ask the other people to pay the piper. Their policy is, 'what do we care; we are here to incite the people. (A voice: And you are there to act as a page boy.) That is their attitude. At the same time they come and say, 'the police have proved themselves agents provocateurs.' (A voice: Undoubtedly.) Knowing as they do they are the agents provocateurs themselves, they remained in their houses for fear of being harmed by the very people whom they incited to do harm and they are now the judges of what happened outside. Can dishonesty and cowardice go further? One thing is certain. Knowing as they do the Swarajist credentials and what they are apt to do, the Government should have stopped this hartal and prevented the innocent lives being lost. (A voice: Take the Law Member's place and do it.) I do not sell my convictions as they usually do. (A voice: You have none to sell.) Therefore, Sir, for these reasons I oppose the amendment." (Voices: 'Thank you very much.)

## After Lunch (2-30 p.m ).

\* The hon, the President:—"The Council will now resume the debate on the amendment of Mr. Kaleswara Rao."

 Mr. C. Ramasomayajulu :- "Sir, in regard to this cut motion, I wish to point out one or two inferences that naturally follow from the discussion which has taken place now. Mr. Krishnan Nayar who opposed this cut motion inferentially has argued for voting in favour of the cut motion. I' am prepared to show to the House from Mr. Krishnan Nayar's own arguments that it is incumbent on us to vote in favour of the motion. Mr. Krishnan Navar argues that it is no doubt true that the police are guilty of non-action or inaction, inefficiency or incapacity, whatever it is, on that day, and he further says that in order to prevent such untoward incidents they want additional police. My simple observation is this. Mr. Krishnan Nayar, while admitting that the police were guilty of laches on that day, how can he naturally argue that there is any necessity for additional police? If Mr. Krishnan Nayar stated that the police were active and in spite of that they were not able to prevent any of the things that had taken place and therefore the additional police was necessary, I can understand his argument. But while admitting that the police were non-active or inactive, how can he establish a case for calling in additional police? I understand that Mr. Krishnan Nayar wants the members of his party to vote with him. I do not think that any person with a sense 13th March 1928] [Mr. C. Ramasomayajulu]

for logic will vote with Mr. Krishnan Nayar because he has given away his point for the additional police when he admits that the police were guilty of non-action. I know the Government is likely to call to aid the nominated members and the officials but I hope none of the elected members will vote with the Government in this matter."

\*Mr. Sami Venkatachalam Chetti:—"Mr. President, Sir, I rise to speak on the amendment of my hon. Friend, Mr. Kaleswara Rao, expressing dissatisfaction of the House on the manner in which the Government has conducted itself in connection with the Simon Commission. I am very much surprised, Sir, that the responsibility for moving this demand has fallen upon my hon. Friend, Mr. Usman Sahib. That is perhaps the reason why my hon. Friend over there representing Malabar has been very tender in his remarks towards the hon, the Home Member. (Hear, hear.) Otherwise I should have expected very reasonably his support also in this motion.

"I do not propose to di cuss what has happened on the day of the hartal or the manner in which the police have acted during that day. Whatever might be the opinion of the conduct of the police during the forenoon, in the evening when they were unable to prevent people from throwing stones near the Napier Bridge, there could be no two opinions on the inefficiency and ineptitude of the police. But what I am concerned with now is the panic which has seized the Government and the steps which they have taken to prevent what they thought a very serious situation that might develop on the next hartal day. I do not think what they have done and the measures they have taken can be said to be complimentary to any Government which pride itself in having preserved law and order in the country. They have shown as a matter of fact the white feather in dealing with the situation. (Opposition ; 'Hear, hear.') Taking the police reports to be quite accurate and true, what is it that has actually happened on the 3rd February to justify the practical proclamation of the martial law in the city on the 26th February? been very graphically described, a few urchins took part in pelting with stones those whom they thought acted contrary to the exhortation to preserve hartal. It is quite plain that so far as those who were responsible for advocating the observance of hartal were concerned they admittedly preached for a peaceful and non-violent hartal. When the co-operation of the Chairman of the Simon Commission Boycott Committee was sought for by the Commissioner of Police. he readily acceded and also complied with the request of the Police Commissioner not to send out his volunteers through the city lest there might be some clash and breaches of peace, though my hon. Friend, Mr. Satyamurti, was found fault with for having acceded to this request of the Police Commissioner. To the extent that he had co-operated with the Commissioner. of Police and with the Government in trying to see that there should be no breaches of the peace, it is a matter for which the Government ought to feel thankful to us Excepting my hon. Friend, Mr. Dorai Raja, who has distinguished himself by a very tragic speech just before lunch, I do not think even Government was so hard upon us as to throw the blame on us of having incited any violence on the day of the hartal. It was left to those ultra-loyalists to parade their loyalty by attacks against the Congress party. I know there are several people who think it a pleasant pastime, a pastime which should please their patrons, to attack the Congress party; but I do not think the Government is so completely bankrupt of shrewdness and foresight as not to really find out the intentions of these ultra-loyalists. (Hear, hear.)

p.m.

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Sir, from what has been graphically described by Dr. Mallayya, only a few urchins took part in the disturbance. Had it not been for the unfortunate burning of the motor-car at the High Court buildings, the reason for which may be variously alleged by various persons, I do not think even the Europeans at whose instance the Government seemed to have acted in this precipitate manner (hear, hear) could have cared to take this matter seriously. Sir, Europeans are particularly accustomed to this kind of interference by advocates of particular causes in their own country. As a matter of fact, if you are witnessing some such disturbances as pelting with stones or throwing of eggs or burning of effigies, they were only copying what were actually being done even to-day in England and other western countries. They are sportsmen enough to understand that these are only ebullitions of the moment and will cool down the moment the root cause of the ebullition is removed. But in a subject country like India, where they want to show their might and where they feel that their lives are threatened, they themselves assist to feed the panic and egg the Government to take strong measures. I should be sorry for the European gentlemen here if they should feel that their living is possible here on account of the Government protection and support. That is not a matter of fact. They, are living here safe more as governed than as rulers. I would like the Europeans to put themselves in the position of Indians and treat this question from that point of view. On that day, Europeans were not particularly marked out for this kind of treatment. Be he a European. be he a Brahman, be he a non-Brahman, he was similarly treated. There is no reason for particularly mentioning that Europeans were attacked on that day. It was all the work of the rowdies and rowdies have no politics to distinguish between Europeans and Indians. Everybody who transgressed the exhortation made by the leaders of the Congress party to observe peaceful hartal were announced as transgressors. Whether those who really pelted stones were the friends of the Congress or not could be demonstrated clearly by the fact that persons proceeding towards the beach meeting were pelted with stones; and the Government are aware that the whole thing was due not to any political partisans but to the riff-raff of the city. To counteract this small incident that the Government should have imported a large contingent of Malabar police force into the city and have taken the trouble of parading them in armoured cars through the peaceful streets of the city is certainly demonstrative of the bankruptcy of Government in dealing with situations of this sort. Is it complimentary to the very gentlemen of the Commission to think that they are in the city being protected by armoured cars and Malabar police force? Certainly not. They must have been shrewd enough to find out that they are being taken round the city in an artificial atmosphere and not in a congenial atmosphere.

"I do not propose to discuss about the gagging order as you, Sir, have ruled that I may take another opportunity of referring to it. But I cannot help remarking that the parading of the armoured cars and the armed police being put into the buses and taken through street after street immediately following the gagging order had a very demoralizing effect upon the people of the city in regard to their regard for the Government.

"The man in the street is able to find out that the Government aim at ruling the people of this country is not by love, not by affection, not by their proper governance of the country, but by bayonets and armoured cars and 13th March 1928] [Mr. Sa

[Mr. Sami Venkatachalam Chetti]

that nothing else is necessary than to show physical force with which we are ruled. As a matter of fact their panicky measures have greatly helped the case of those who want to replace this Government by another form of Government. Apart from this, Sir, Mr. President, I should like to remind this House that the demand is a proposition to circumvent the resolution of the Council during the budget discussions. The House is well aware of the fact that during the budget last year it cut down a sum of 5 lakhs from the Police budget. If His Excellency the Governor found it convenient that this amount was necessary for carrying on the administration he should have used his powers of certification. Apparently he also agreed with the Council in thinking that 5 lakhs might be easily met from the demand and therefore he did not care. Now it has fallen on my hon, Friend, Mr. Usman, to come and ask in the shape of a supplementary grant. Really what these Government Members are actually doing is they wait for an opportunity when the Council is either tired or is engaged in some other consideration and then just wedge in these things and ask for the vote of the House. But for the fact that this incident is closely associated with the demand probably the House would not have been aware and would not have remembered what it had done during lust year. If we should have any regard for the power of the Council in not sanctioning the very sum which we cut down some time ago and if we think that the Council's resolution should be respectfully given effect to also by the Members of the Executive Council, we can do nothing else than to reject this demand in toto. I therefore while opposing the demand support the amendment of my hon, Friend, Mr. Kaleswara Rac."

\* Mr. P. BHAKTAVATSALU NAYUDU :- "Mr. President, Sir, I had no intention to speak on this motion as it has been very ably and clearly supported by the previous speakers my hon. Friends on this side, but the most diplomatic speech of Krishnan Nayar, punctuated by his usual 'buts' and the most unpatriotic and unworthy of an Indian speech of Mr. Dorai Raja, has prompted me to say only a few words on this occasion. Mr. President, this Government, this British Government, boasts itself of reigning over a dominion on which the sun never sets and this is the Government that has won the biggest war in the world and yet it is this Government that makes so much of a small incident in the Madras on the 3rd February. That shows the weakness of the Government and its want of confidence in itself and the unfair administration they are conducting in this province. It is an administration that is being conducted by mere brute force, not by love or affection to its subjects. As my hon, Friend, the Leader, has rightly pointed out, it cannot be an administration of love because we are not Europeans. They can only have some regard for some small association at the Bosotto and not for the popular opinion of the whole province. The whole province has stated in unequivocal terms that they do not want the Simon Commission and that they wanted to conduct a peaceful hartal. The Government had no business to interfere if they were fair and just-minded in such things but to allow its subjects to have their own way. Instead of that they have perpetrated a gross negligence of their duty. I can boldly say they have even abetted and connived at these disturbances, for I have ample evidence to give to this House that the disturbances at the Iron Bridge was at the very nose and under the very eyes of the police that were standing at a stone's throw distance of the rowdies and those that were molested. Mr. President, it was not the khaddarclad people or the Brahmans alone that were the victims of this kind of molestation, but it was also the innocent Government servants, the loyal

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servants of this benign Government that are sweating their brows in the work of this administration in the Secretariat and in other places that were the victims of these atrocious and disgraceful affair on the 3rd February, and it is perhaps to assist such affairs once again that they want to import additional police. That itself shows how weak the administration is, and how weak especially the police administration is, which was till recently in the hands of the ex-Law Member, Sir C. P. Ramaswami Ayyar, and which is now in the hands of the present Home Member. There was absolutely no necessity for alarm, there was no terror and there was no such danger to apprehend to close the gates of the High Court and conduct the business there, as if there was some German invasion or Afghan invasion impending. Mr. President, these things imply that the innumerable police establishment that the city boasts of of, one Commissioner, two Deputy Commissioners, two Assistant Commissioners, any number of Inspectors and Assistant Inspectors and a big lot of police constables and head constables, are only here to coerce and to prosecute innocent people unnecessarily. After all this thing has happened in an innocent place like Madras. The people of Madras are never known to be disorderly or even mischievous in the past and in this place if the Government thought fit to bring in additional police, it only shows their impotence to manage the affairs. They could have managed it without bringing in additional police if they had only had a mind to do so, but they had no mind to do so. Their only attention was concentrated in showing that the Simon Commission goes on well, but not in the interests of the people they are in charge of. Under these circumstances I very strongly support the cut motion proposed by my hon. Friend Mr. Kaleswara Rao."

\* Mr. S. Arpudaswami Udayar :- "Mr. President, Sir, I have been very carefully listening to the speeches made by my hon. Friends in the Opposition benches. The hon. Member from South A reot said that the city had a military look about it and that it seemed to be under military rule. Sir, I wish there had been more of this military look about it for the excesses which my hon. friends admitted to have been committed even by students would not have been committed if precautionary measures had been taken and if the police had understood where the storm centre was likely to be. Again, Sir, some of my Friends said that they found armed police patrolling empty streets. May I in all humility submit that probably the reason why these streets were empty was that there was police parading? (Hear, hear.) Wherever police force was brought and asked to patrol the streets there was peace and all this posse of police force is not intended to terrorize peaceful citizens. It is intended to be a warning to the rowdy elements whose presence was admitted by all in this city to have been responsible for much mischief on the hartal day. Where we have to deal with the human element, Government cannot be too careful. It has to take all possible precaution. Its business certainly is to see that such troubles as were witnessed on the hartal day are not renewed. We are told that the police on the hartal day did not render adequate protection for peaceful citizens, but, at the same time, when we find the Government with the best of intentions reinforcing the city police by bringing in mufassal police force to maintain peace and order, that police is criticized. Such action, we are told, is not proper. Some of my friends admitted that the crowd was handled properly and that it was only after 3-30 where the police force was not stationed that stone-throwing took place, if I heard aright my hon. Friend, the Leader of the Opposition. With all due deference to my hon. Friends whose opinions are

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very valuable, I must say that the criticisms and suggestions of many who were present on that occasion were that the Commissioner of Police, and the Deputy Commissioner of Police and the Presidency Magistrate tried their best by using persuasive methods to disperse the crowd. (A voice: 'No. no.') Sir, whatever my friends may think about it, it is quite open to me to refer to it. I think they have really no ground for complaint against the Government taking precautionary measures in the light of their experience. It might have been that leaders of certain parties agreed through their volunteers to see that peace was restored. Still, the first duty of Government as Government is to be very careful to take all precautions to avoid trouble and to maintain peace and order. Therefore even granting that it is possible for us to make certain adverse comments in connexion with the hartal, we must make a distinction between the adequacy or inadequacy, the efficiency or inefficiency of police protection and the expenditure incurred by Government in the light of previous experience to maintain peace and order. For these reasons, I oppose the motion.

\* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :- " Mr. President, Sir, my hon. Friend Mr. Kaleswara Rao began by saying that the action of Government in importing the mufassal police into Madras was absolutely unwarrantable. Sir, I should like to recall the events that took place on the 3rd February. Government thought that such a state of affairs should not be repeated. After the 3rd February, representations were made to Government by everybody-Europeans and Indians-that something ought to be done by Government to see that such a state of affairs did not recur. My hon. Friend the Leader of the Opposition, who is always very dignified in making speeches in this House, attributed motives to my hon. Friend, Mr. Krishnan Nayar. I should like to tell hou. Members of this House that on the 4th February there was a meeting of a Select Committee at which my hon. Friends Messrs. Krishnan Nayar and Arpudaswami Udayar were present. The feeling that was uppermost in the minds of hon. Members who were present then was that the Government should take drastic measures to see that the events of the 3rd February were not repeated and that they would give their heartiest co-operation in any measures that Government might take.

"Then, Sir, it has been said that we have brought the police here to 3 p. frighten the people. I can assure hon. Members of this House that it was not at all our object. It was only to infuse a sense of security and protection in the minds of the people. We wanted to assure the people that we had made absolute police bandobast absolute, so that they can carry on their normal work without any kind of hindrance whatever."

Mr. P. Bhaktayatsalu Nayudu:—"What about the machine guns which were paraded?"

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur:—"They were not paraded.

"Sir, some of my hon. Friends said that rowdy elements were incited to do mischief. But, I ask, who was responsible for this state of affairs. . ."

Mr. S. SATYAMURTI :- "Of course, the police."

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\* The hon, Khan Bahadur Muhammad Usman Sahib Bahadur:—"Who went to the beach and made speeches on hartal, the hon. Members on the Treasury Bench or the hon. Members on the Opposition? (Cries of 'The Police,' 'Shame' and 'Withdraw that statement' from the Opposition Benches.)

"Sir, another Member said that when we have the Military in Madras there was no necessity even for the mulassal police to be brought in In any police arrangement we never take the Military into account. They are called in only when emergencies arise. It has been remarked that the Madras Police absolutely failed; I should say that, on the other hand, the Madras Police did well with the materials at their command. They had to meet a difficult situation and they met it in a satisfactory manner. (Cries of 'Oh, oh'.) We have to remember that on the 3rd February there was a possibility of the breach of the peace everwhere.

Several voices : "Where"?

\* The hon, Khan Bahadur Muhammad Usmam Sahib Bahadur:—" Everywhere." (Cries of "Shame.") (Mr. Satyamurti: "No, it is a falsehood.")

"Then, Sir, it was said that two members of the depressed classes were killed. I ask hom. Members of the House who were responsible for this? Certainly the organizers of hartal."

Several Swarajists: "The inefficiency of the police and the Government were responsible for that."

A voice : "What was the Labour Commissioner doing ?"

\* The hon, the President :- "Order, order."

The hon. Khan Bahadur Muhamad Usalan Sahib Bahadur:—"Then, Sir, it has been said that the police had been brought in in order to protect the Simon Commission. They required no protection whatever because they were welcomed by the people everywhere. (Cries of 'Oh, oh.') (Mr. P. Bhaktavatsain Navudu: 'If you had been to the Chepab Palace, you would have seen.') Then, Sir, another thing said was that there were some urchins who disturbed the peace of Madras. Government knew that these threhins were powerful urchins—urchins who were able to disperse a beach meeting of ten thousand persons, who had behind them instigators. Government therefore thought it was their duty to prevent the urchins from doing such mischief. Sir, whatever we did, we did only to give Madras a sense of security. It was for this purpose alone—that we brought in the mufassal police.'"

\*Mr. S. SATYAMURTI:—" Mr. President, Sir, the hon. the Home Member flushed with the transfer of the Police into his hands this morning, sought to justify his Patron's confidence in him by out-heroding Herod. I will prove every word of that phrase. My hon, Friend forgot himself and paid a compliment to the Leader of the Opposition that he was always dignified in his speeches and never lost his temper. I thought my hon, Friend also never lost, his temper. But to-day he is determined to appear to his masters that he can be more ferocious than all the ferocious men in Madras put together. (Laughter.) Therefore, Sir, he has made a speech in which he has uttered two or three terminological inexactitudes which, if he had uttered them elsewhere, would have made him liable for damages in law. I challenge him to repeat these statements elsewhere, if he dares; I will take upon myself to charge him in a proper place.

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"His first point was this: He says that we, the Members of the Opposition, incited rowdies at the beach meetings to do these acts of rowdyism and to defy police authority. Now, I ask him and I ask this House to kindly read the report of the Police Commissioner and the Government Order itself in which the Government says categorically that there was nothing in our speeches or writings which incited the people directly or indirectly to violence but which on the other hand deprecated all violence; and, therefore, they could not have gone to any Magistrate in Madras with a request for a preventive order under section 144, Criminal Procedure Code. Who is right and who is wrong? Is the Government of Madras finit or is the new Police Member, who forgets in his cuthusiasm the respect he owes to facts, right? I will now read from the Government Order:

"It has been suggested" the Government say in their order, dated the 23rd February 1928, 'that the various speeches and activities reported in the press (that was the argument put forward by my hon. Friend) gave a sufficient indication of what the events of the day were likely to be and would have justified the use of the preventive section of the Code of Criminal Procedure. Although, no doubt, the disorders could not have occurred but for the decision of the Boycott Committee, that disapproval of the Statutory Commission should be shown by a hartal on the 3rd February, -I may pause here, Sir, to say that there would have been no hartal if the Statutory Commission had not been sent, and therefore to attribute these disturbances to the hartal is to say that nothing would have happened if man had not been created. But apart from that ultimate cause of all events, the Government proceed to say-but the Government are not disposed, in view of the tenor of the speeches and manifestos in which the use of force was deprecated, to consider there was evidence that would have enabled a successful application to be made to the courts for the issue of orders under the preventive sections.' I ask my hon. Friend to undergo a short apprenticeship under somebody who knows some law before he comes to deal with these large and difficult questions which get him beyond his depths.

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur .—" On a point of explanation, Sir. I said 'with the materials at their command'."

\* Mr. S. SATVAMURT:—"So be it. "With the materials at their command," which, I take it, means that nothing was done with their connivance or at their instigation which prompted the roady elements in violating law and order. Again, Sir, I will read the Government Order for his benefit, for he has had evidently no time to read those orders.

A regretiable feature of the day was the delay in dealing with the recurrence of stonthrowing in the evening after the rioting near the High Court. The Commissioner has said that
policemen were on duty wherever possible but not at two points near the Port where actual
stoning did take place. These two points are not usually scenes of activity and hence no doubt
the absence of any police constables. That they were seenes of trouble on this occasion is due to
the fact that the stoning was begen by men proceeding to or returning from the beach meeting.
The Government consider it unfortunate that although Military pickets and the state of variage in Chepulk and the processing the state of the state of the processing the st

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"Does the Government regret it knowing that the police could not have done it, or does the Government regret it because knowing the police could have done it they omitted to do it? My hon. Friend below the gangway himself admitted that on the 3rd February innocent Brahmans,—I was glad to hear that phrase come from him—were attacked by rowdies in Madras (A voice: 'Also by the police') and the police did not put it down. Is that charge true?

"Then, Sir, my hon. Friend wound up his somewhat hysterical speech by saving that he knew that the urchins were powerful enough to disturb a large meeting of 10,000 people and therefore he dealt with them. I will tell you a few facts which are well within my personal knowledge. Before that meeting on the 29th February was actually held, I was sent for by the Commissioner of Police and we had a cordial talk, in the course of which he suggested that there should be a hundred yards' distance between the two rival meetings, that there would be a special inspector with a posse of armed police to interfere if need arose or when they were appealed to to interfere. The police was there and one police inspector was actually at the scene. I will give his name to the Member directly if he wants, but I do not want to mention it now because he may be an innocent man and I do not want to compromise him in a public manner here. But I want to tell you that a policeman was actually on the scene and that a party of armed police with an inspector of police was there in the Presidency College, just opposite to the place of the meeting. With these people there, the meeting was disturbed by a few urchins who had brought special missiles of an offensive character for the purpose of disturbing this meeting and the police, when appealed to before and after the meeting, would not interfere. Is that conduct or misconduct on the part of the police?

"I will give another instance again within my own personal knowledge. From the Mahajana Sabla Hall in Mount Road near the Round Tana, right up to the Chepauk Palace and the Revenue Board office, where the road opens into the beach, a procession of about 70 or 100 people was stoned by urchins and older men too on both sides, the police actually escorting them, and the police would not interfere to prevent this stone-throwing. Is it conduct or misconduct on the part of the police? (Crics of shame, shame,)

"I have given you two instances within my own personal knowledge. I was told that I did not complain to the police as if everybody who was actually hit on that day complained to the police, as if the police did not know it otherwise, as if it is an excuse for the police that, because there is no regular complaint, they are not bound to preserve law and order. I am telling my hon Friend what I know from my own personal knowledge, for at least on two occasions the police aided and abetted the rowdies or the rowdies had at least the consciousness that the police were behind them and that they would not be dealt with if they attacked anti-Simonites. Evidently because, we have heard in the course of this morning a most significant statement from a quarter, whose authority could not be disputed and I have heard it from exalted quarters also, that the Governor of Madras remarked that whoever opposed the Simon Commission is an enemy of the Government and therefore the police may deal with them in any manner they should like and that they were outside the protection of the law. That evidently was the way in which the police understood the situation, and therefore I say that this praise of the police is not at all deserved. On the other hand, Mr. President, in spite of the police general order under section 144, which was tom-tomed all over

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Madras and in which people were told that if they closed their shops, they would come into trouble, although they were merely to be told that if they had kept their shops open, they would receive adequate protection there was a peaceful hartal in Madras on the 26th February, the day of the arrival of the Commission, and though we had called off the hartal. Did any untoward incident happen on that day? Was it due to the parading of the police? Were the police called upon to interfere anywhere? I will tell you, Sir, the reason why there was no disturbance on the 26th February. It was because the rowdies who had been previously encouraged and in some cases engaged to create rowdyism, were told on the 26th not to do it again. They kept quiet and therefore there was no rowdyism at all. If therefore there had been no mismanagement or worse on the part of the police, there would have been no rowdyism at all on the 3rd February, and the happenings on the 26th February are proof positive of this.

"Sir, my hon. Friend raised two issues. The first, the conduct of the 3-15 special police in preventing the rowdies from molesting or injuring peaceful p.m. citizens from attending to their usual avocations. We have proved that charge. My hon, Friend from Malabar has substantiated that charge. have made that charge not only here but also in the columns of the Press and also before the Committee appointed by the Congress Committee to investigate into these disturbances. We ask the Government to institute their own enquiry. We will come and give evidence there. If they have the courage, if they believe in the process in which I believe, I ask the Government to wash this dirty linen and ask the people then to abide by the verdict of an impartial and honest committee in which I can have confidence and in which all sections of this House will have equal confidence. Until you do that, the citizens of Madras will believe, and believe rightly and justly according to me, that the police were interested in crushing this big hartal. They were taken by surprise at the success of the hartal. It did not please the police; more than that, it did not please the de facto rulers of this country, the Europeans of Madras. They are the real de facto rulers, not those geutlemen on the Treasury Bench. They are not the real rulers of Madras. For whose benefit is the Government of Madras being carried on? They the Europeans, are the people for whose benefit the Government of Madras is being carried on. They are the masters. We send long memorials but nobody bothers about them. They go into the waste paper basket, but if those people make fiery speeches, and send long letters, at once the whole Government quake in their shoes and send replies to them column after column with bated breath and in whispering humbleness. That is the Government of Madras, and they are the de facto rulers of this country and if their pride is wounded. . . . (A voice : Do you want to convert them ?) Yes, I want to convert them if possible, because they are the de facto rulers of this country. I know that and I feel it. They are so both here and in England; for commerce is the real centre of life of the British Empire; it is they who dictate wars, dictate peace and dictate Simon Commissions. I therefore suggest, Mr. President, that these gentlemen do make up their minds that there shall be no more hartals, and then we shall teach these people that we are the real rulers of the country and not they. So far as the Madras Government are concerned, there is nothing either in the Government Order or in the report of the Commissioner of Police-except one paragraph in a letter which I shall read presently-no allegation is made either by the Chief Presidency Magistrate or by the Commissioner of Police, directly or indirectly, against the Congress volunteers and workers as having

taken part in these disturbances. The only paragraph in which reference is made by the Commissioner of Police to us:

'Messrs, Ganapathi and Syduey Smith proceeded homewards about 4-30 to 4-45 p.m. safely as far as "Capid's Bow" where they were stoned by a khaddar-clad crowd who were evidently Congress or broycoth partisans on their way to the Beach meeting convened by the Boycott Committee for 5 p.m. on the Triplicane Beach'.

"That is the only allegation made. In all these letters, no other allegation is made either by the Presidency Magistrate or by the Commissioner of Police against the Congressmen or Congress sympathisers as having taken any part in these disturbances. So far as this allegation is concerned, I know nothing about the truth or otherwise of it, but I invite the Government to investigate that matter, and I can promise to the Government that if they can prove that any Congressmen took part in these disturbances, it would be easy for us to disown them and to say that we would have nothing to do with them. As for the khaddar-clad crowd being necessarily Congressman, I may say that even rowdies wear khadder sometimes in order to bring discredit on the Congress and Congressmen. That matter may be investigated by the Government of Madras. (A voice: The Criminal Investigation Department wear khaddar.) Yes. That is so far as the Government are concerned. I am, however, thankful to the hon, the Home Member, that even he, this evening was not able to go to the length to which some of my hon. Friends who spoke from the non-official benches went. This morning as I came into this hall and learnt that my friend, Mr. T. R. Venkatarama Sastri had resigned his Law Membership, I thought His Excellency the Governor would naturally have to think seriously about a successor; but after listening to the magnificent speeches made here, I think it will be rather difficult to choose from among these three gentlemen; because they are the advocates, without fear or favour, of the rule of the rod, of the firm principle, of the iron hand, they are solid in their opinion that the Government have not taken further action and have not gone further. According to Mr. Dorai Raja, all of us should be sent out of the country, out of India, even to the Andamans. According to Mr. Arpudaswami Udayar, he is really sorry that Madras was not under more military rule. He would have been pleased if at every street corner there were soldiers, there were armoured cars, and if aeroplanes were flying over Madras, so that Mr. Arpudaswami Udayar might come to this Council very calmly and all others may walk in constant fear of the British Government. That is his conception of peace and order. My friend, Diwan Bahadur Krishnan Nayar, was not so wild as that; but even he could not resist the temptation of patting the Government on the back and asking them to go forward with these measures with full confidence.

"I want to conclude with an appeal to all sections of this House, in regard to this matter. My friend, Mr. Krishnan Nayar, has already said that he and his friends sitting with him would vote against this cut. I appeal to him and his friends to revise their opinion in regard to this matter. So far as hartals are concerned, hartals need not necessarily lead to these consequences, and we have already seen in the newspapers that some distinguished members of the party to which my friend belongs do not seem to be unfavourable to these hartals in the case of any particular event. As my hon. Friend, the Leader of the Opposition, pointed out, so far as the Government are concerned, last year we cut down the grant for police by five lakhs but yet the Government have nowcome forward with a motion for the grant of nearly Rs. 4 lakhs. I do not think we ought to allow such motions to come up like this. I appeal to the Independent Party and to the ex-Ministers in particular,

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because we had this morning a disquisition upon Reforms being a Reserved subject and therefore their having nothing to do with it. This is a Reserved subject, and therefore I say they should not have anything to do with it. I ask my friends of the Independent Party to remember that they are now free from the allegiance which they would otherwise owe to the Government as a Ministerial Party in voting with them on this matter; because the question raised in this motion is merely a question of freedom of speech and freedom of association. If really we are going to allow Military rule to take the place of Civil rule, police zoolum to take the place of law and order, then this is a game at which two can play. To day, we are bayecting the Simon Commission and we do not want to include the Government in that; but to-morrow it will be something else. Are we going to encourage this topsy-turvydom and not allow, in the name of democracy, free play of opinions and actions so long as they do not interfere with the equally free play of opinions and actions so of the other citizens of India? That is the only principle involved in this matter, and I appeal to all sections of the House to vote for this cut unanimously."

\* Sir James Simpson :- "Mr. President, like my hon. Friend, Mr. Krishnan Navar, I do not wish to give a silent vote on this motion. I do not want to add fuel to the fire that is smouldering. It is always but a joy to me to follow my hon. Friend, Mr. Satyamurti in debate. I have listened, Sir, and followed the debate with the closest possible attention and I have not found anything coming from the opposite benches warranting me to support this cut. On the contrary, I consider that they have been themselves the best advocates of the Government proposals in preserving law and order. I have found this, Sir. Half of them are complaining against the police for having taken action, and the other half of them are complaining against the police for not taking action. They cannot have it both ways. Now, Sir, the de facto and de jure Leaders of the Opposition have minimised what took place in this city on to 3rd February. What are the facts on that day? The city was given over mob-law. Law and order broke down. Therefore, it was the clear and bounden duty of the Government to see that no repetition of this took place. When the Government learnt that there was to be an intensive hartal on the 17th, having regard to their previous experience, it was their duty to take all possible precautions against a repetition of the breaking down of law and order in this great city that took place on the 3rd February. (Mr. Basheer Ahmad Sayeed: 'Were they also prepared for Mr. Natesa Mudaliyar's hartal?') I do not want to add fuel to the fire. The Leader of the Opposition has made one very wise remark that the Europeans in India do not depend for their living here on Government protection. That is true. They depend on the affection of the people of India. As regards our being the de facto rulers of the country, Mr. Satyamurti is certainly right in a way; because the people in business and commerce and agriculture must always be the rulers of every country. And the maintenance of law and order in this province will always have the support of the members of this bench; it would be well if the members on the opposite benches gave the same encouragement to law and order in this country. Let me appeal to the House against the habit of vilifying and calumniating the police.

"Just now, Sir, one Member charged the police with looting, and another with assaulting the citizens. It may be true and may be not. Doubtless, these are facts within their knowledge. But let me say this: The interests represented here on this bench never allow themselves to undertake a campaign

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against the police. In the country where we have been brought up, we look upon the police as our friends, not our enemies . . . . (Mr. S. Satyamurti: 'They are rowdies here'). The same thing ought to obtain here in this country. I strongly oppose the amendment to reduce this grant."

3-30 p.m.

The hon. Mr. T. E. Moir :- "It was my intention to speak on this subject at some length, but in view, of the speech which has fallen from the lips of the hon. Member, Sir James Simpson, I do not propose now to prolong the discussion. There is much that has been said which made me indignant, but I do not propose to voice that indignation for I feel that this is a matter which most members of this House, and in their hearts even some of those sitting on the benches opposite, would be glad if it were disposed of in the manner in which the speech of the bon. Member who preceded me was framed. I therefore propose to add no further fuel to the fire, to answer no question and to add no further words which would prolong controversy. I have faith in this House and I feel confident that I only echo the appeal of Sir James Simpson and invite this House to reject the proposed amendment and thus to show that this House will not be a party to unsubstantiated and gross charges directed against the members of a department which, whether it may have made mistakes or misconceived the situation at times, did render great services to this city and its people under the difficult circumstances which it had to face during the last two months.

\* The hon, the PRESIDENT:—"The question is to reduce the allotment of Rs. 3,05,880 for 'Police—Reserved' in excess of Budget provision by Rs. 100.

The amendment was put to vote and declared lost. Mr. S. Satvamurti and other Swarajists:- "Poll.

A poll was accordingly taken with the following result :-

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Mr. Sami Venkatachalam Chetti.
          S. Satyamurti.
C. V. Venkataramana Ayyangar.
 2.
 3. ,,
          T. Adinarayana Chettiyar.
P. Anjaneyulu.
J. A. Saldanha.
C. S. Govindaraja Mudaliyar.
 5.
 7.
 8.
          G. Harisarvottama Rao.
 9.
          C. N. Muthuranga Mudaliyar.
          Abdul Hamid Khan.
10.
          K. V. R. Swami,
D. Narayana Raju,
11.
     99
12.
13.
          B. S. Mallayva.
          C. Marudayanam Pillai.
                                                    27.
14.
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Noes. 1. The hon. Sir Norman Marjoribanks. Khan Bahadur Muhammad Usman Sahib Bahadur. Mr. T. E. Moir. 3 Mr. A. Y. G. Campbell. 4. ,, 5. "Dr. P. Subbarayan. 6. Rao Bahadur C. V. Anantakrishna Ayyar. Mr. F. B. Evans. 7. Mr. F. B. Evans.
8. "H. A. Watson.
9. "G. T. Boag.
10. ", A. McG. C. Tampoe. 11. " S. H. Slater.

15. Mr. M. Narayana Rao. A. Parasurama Rao. 16. 33 C. Ramasomayajulu. Basheer Ahmad Sayeed 18. ,, Sabib Bahadur. 19. Mr. P. Bhaktavatsulu Nayudu. 20. Sriman Biswanath Das Mahasayo. 21. Mr. A. Kaleswara Rao. 22. " R. Srinivasa Ayyangar. 22. , K. Smilivasa Ayyangar. 23. , L. K. Tulasiram. 24. , K. R. Karant. 25. , K. Madhavan Nayar. 26. , C. Venkatarangam Nayudu.

K. S. Sivasubrahmanya Ayyar.

12. Mr. C. B. Cotterell. ,, P. J. Gnanavaram Pillai.
 ,, R. Foulkes. 15. The Zamindar of Seithur. 16. Mr. H. B. Ari Gowdar.

17. " J. Bheemayya. 18. " J. A. Davis. 19. Subadar-Major S. A. Nanjappah Bahadur. 20. Mr. N. Siya Raj.

21. ,, M. V. Gangadhara Siva. 22. Rao Sahib L. C. Guruswami. 23. Mr. V. I. Muniswami Pillai. 24. ,, W. P. A. Soundarapandia Nadar.

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#### Noes-cont.

25.	Mr. S	Subral	manya	Moopanar.

D. Thomas. 27. " S. Venkayya. K. Krishnan. 28. K. Krishnan. 29. Sir James Simpson.

30. Mr. K. Kay. 31. "W. O. Wright. 32. Mr. A. T. Luker.

33. Rajkumar S. N. Dorai Raja. 34. Mr. Arupudaswami Udavar.

35. ,, K. Kamaesa. 36. Rao Sahib R. Srinivasan. K. Ramachandra Padayachi.

37. Mr. A. Ranganatha Mudaliyar. 38. Diwan Bahadur R. N. Arogyaswami

Mudaliyar.

39. Mr. S. Muthiah Mudaliyar. 40. ,, P. Siva Rao. C. Gopala Menon. 41.

H. G. Gopaja Menon.
 Kumara Raja of Venkatagiri,
 Mr. M. A. Manikkayelu Nayakar

44. Mr. B. Ramachandra Reddi. 45. Rao Bahadur C. S. Ratnasabhapathi Mudaliyar.

The Raja of Panagal.
 Sir A. P. Patro.

48. Diwan Bahadur M. Krishnan Navar.

49. Mr. P. T. Rajan, 50. , T. K. Chidambaranatha Mudaliyar. 51. Khan Bahadur S. K. Abdul Razack Sahib

Bahadur

52. Khadir Mohidin Sahib Bahadur, Muhammad. 53. Diwan Bahadur S. Kumaraswami

Reddiyar.
54. T. M. Moidoo Sahib Bahadur.
55. Rao Bahadur B. Muniswami Nayudu.

56. Piwan Bahadur A. M. M. Murugappa Chettiyar. 57. Rao Bahadur K. Sitarama Reddi.

58. The Zamindar of Mirzapuram.

#### Aues 27. Noes 58. The amendment was lost.

\* The hon, the President:—"I shall now put the original motion to vote. The question is 'the Government be granted an additional appropriation of Rs. 3,05,880 under Grant XV. Police-Reserved."

The motion was put and adopted and the grant made.

The hon. Dr. P. Subbarayan :- "I do not propose to move the next item a on the agenda, Sir."

GRANT XXXIV

The hon. Sir NORMAN MARJORIBANKS :- "On the recommendation of His Excellency the Governor, I move

'that the Government be granted an additional sum of Rs. 8,000 under "Grant XXXIV Agency Tracts—Reserved".'

"Sir, in the coming year there are certain works in the road programme of the Agency. As there was a saving in the works put down for this year, one of next year's works has been taken up. This is the working season and labour once dispersed is difficult to gather again. Therefore I ask the sanction of the Council for the course adopted."

The motion was put and adopted and the grant made.

# PUBLIC ACCOUNTS COMMITTEE FOR 1928-29

The hon, Mr. T. E. Moir :- "I move

that with a view to the constitution of a Committee on Public Accounts for the year 1928-29 this Council do proceed on a date to be fixed by the hon, the President to elect seven members of the said Committee'.

"I move this resolution with reference to rule 33 (1) of the Madras Legislative Council Rules which lays down, 'As soon as may be after the commencement of each financial year a Committee on Public Accounts shall

#### Grant XXIII.

a The hon, the Minister for Development will move

<sup>&</sup>quot;That the Government be graned an additional sum of Rs. 49,200 under Grant, XXIII.
Civil Veterinary Services—Transferred for the purchase of sera and vaccines required for the inoculation of cattle against rinderpest during the year 1927-28.

[Mr. T. E. Moir]

[13th March 1928

be constituted for the purpose of dealing with the audit and appropriation accounts of the Province and such other matters as the Finance Department may refer to the Committee. This Council has to elect seven Members of the Committee and when it is done three Members are nominated by His Excellency the Governor. Unless the Members appointed by the Council are known before the end of the financial year it will not be possible for His Excellency the Governor to constitute the Committee until the next meeting of the Council in the following year."

The hon, Khan Bahadur Muhammad Usman Sahib Bahadur:—"I second the motion."

The question was put and adopted.

The hon, the PRISIDENT.—"It now remains for me to lay down the method by which the election is to be held. I would suggest that hon. Members hand in nominations to the Secretary before 2 p.m. to-morrow (14th). If the number of nominated candidates exceeds seven, an election will be held on the 15th between 1-30 and 2-30 p.m. The election will be according to the method of single transferable vote. The ballot papers can be obtained from the Secretary and should be deposited in the ballot box provided for this purpose between 1-30 and 2-30 p.m. on the 15th when the counting of the votes will commence."

#### VIII

#### FINANCE COMMITTEE FOR 1928-29.

\* The hon. Mr. T. E. More :- " I move

that in accordance with resolution No. 17 passed at the meeting of the Council on 1st April 1921 regarding the constitution of a Finance Commiltee this Council do proceed on a date to be fixed by the hon, the President to elect six persons to be members of the Finance Committee for the year 1928-29.

"In moving this I would merely say that the same considerations which apply to the Public Accounts Committee apply in this case also."

The hon. Khan Bahadur Muhammad Usman Sahib Bahadur:-" I second it."

The question was put and adopted.

\* The hon, the PRISIDENT.—"I fix 2 p.m, to-morrow as the time by which nominations for election to the Committee should be sent to the Secretary. The election will be according to the method of single transferable vote."

#### IX

ELECTION OF TWO MEMBERS TO THE ADVISORY COMMITTEE OF THE MADRAS AND SOUTHERN MAHRATTA RAILWAY COMPANY (LIMITED).

\* The hcn. Mr. T. E. Moir :- "Mr. President, I move

'that with reference to G.O. No. 55, Railway, dated 10th December 1923, this Council do recommend to the Government to communicate to the Madras and Southern Mahratta Railway Company, the names of two persons elected by this Council in accordance with the agreements made in that behalf by the hon, the Fresident to sit on the Advisory Committee of the eaid Railway after the 31st March 1928, when the term of office of the present members of the Committee will expire.'

3-45 p.m. 13th March 1928] [Mr. T. E. Moir]

"I recommend this motion to the House in order that there may be no break of continuity in the representation of this House on the Advisory Committee."

The hon. Khan Bahadur Mthammad Usman Sahib Bahadur:—"I second it."

The question was put and adopted.

The hon the President:—"It now remains for me to lay down the methol by which the election is to be held. I would suggest that hon. Members hand in nominations to the Secretary before 2 p.m. to-morrow (14th). If the number of nominated candidates exceeds two, an election will be held on the 15th between 1-30 and 2-30 p.m. The election will be by the ordinary method, and not according to the method of single transferable vote. The ballot papers can be obtained from the Secretary, and should be deposited in the ballot box provided for this purpose between 1-30 and 2-30 p.m. on the 15th when the counting of the votes will commence."

The hon, Dr. P. Subbarayan: —" I do not propose to move items a V and b VI in the agenda"

#### X

A BILL TO AMEND THE MADRAS CHILDREN ACT, 1920.

\* The hon. Mr. A. Y. G. CAMPBELL: — Mr. President, Sir, I beg to present the "report of the Select Committee on the Bill further to amend the Madras Children Act, 1920, and more that the Bill as a nended by the Select Committee be taken into consideration."

The hon, Khan Bahadur Muhammad Usman Sahib Bahadur:—"I second it."

The question was put and adopted.

The question that clauses 1 and 2 of the Bill as amended by the Select Committee stand part of the Bill was separately put to the House and carried.

The question that the preamble stand part of the Bill was put to the House and adopted,

\*The hon, Mr. A. Y G. CAMPBELL :—"I beg to move that the Bill be passed into law."

## V .- RESOLUTION UNDER THE COTTON TRANSPORT ACT, 1923.

The hon, the Minister for Development will move-

"This Council approves the revised notification and the rules 4 which it is proposed to issue under sections 3 and 7 of the Cotton Transport Act, 1923 (III of 1923), as amended by the Cotton Transport (Amendment) Act, 1925 (XXXIV of 1925), and recomments to Government that the said notification and rules should be issued in the form in which they have been submitted to the Council."

b VI .- A BILL TO AMEND THE INDIAN FISHERIES ACT, 1897.

The hoat the Ministra for Public Headth will present the report of the Select Committee on the Bill to amend the Indian Fisheries Act, 1897, in its application to the Presidency of Madras and move that the Bill as amended by the Select Committee be taken into consideration.

· Printed as Appendix II on pages 79-82 infra.

d Circulated to Members on 27th February 1928.

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The hon. Khan Bahadur Muhammad Usman Sahib Bahadur:—"I second it."

The question that the Bill be passed into law was put to the House and adopted.

The Bill was passed into law.

The hon. Dr. P. Subbarayan:—"I do not propose to move item No. VIIIa in the agenda."

#### XI

# AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL.

\* Rao Bahadur C. V. Anantarrishna Ayvar: — Sir, I beg to move that the following amendments to the Standing Orders be passed. The proposed amendments only add to the convenience of the hom. Members in transacting business in this House, and I do not think there is any necessity for me to speak on them at length and Laccordingly propose that the Standing Orders be amended as mentioned in the agenda.

\*The hon, the President:—"The hon, the Advocate-General has presented the report of the select committee appointed to consider certain draft amendments to the Standing Orders Nos. 9 (1), 37 and 38 of the Standing Orders of the Madras Legislative Council and moved that the amendments as accepted by the Select Committee be taken into consideration."

The question was put and adopted.

\*The hon, the President:—"The hon, the Advocate-General has moved that the following be added at the end of Standing Order No. 9 (1):—

'Such notices may be left at the Council Office even when the Council is not in session or by a member even before he is sworn in '.''

The question was put to the House and adopted.

The House then adjourned to meet again at 11 o'clock the next day.

R. V. KRISHNA AYYAR, Secretary to the Legislative Council.

a VIII. A BILL TO AMEND THE STATE AID TO INDUSTRIES ACT, 1922.

The hon, the Minister for Development will introduce a Bill to amend the State Aid to Industries Act, 1922, and if the motion is carried, he will move that the Bill be taken into consideration at once.

b Printed as Appendix III on pages 82-83 infra.

#### APPENDIX I.

[Vide answer to question No. 1686 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 13th March 1928, page 12 supra. ]

(1)

Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2437, dated 1st September 1927.

[Subject.-Irrigation-Ceded Districts Irrigation Committee's report -Kudimaramat--Reconstruction of derelict tanks.

The Board submits to Government its remarks on the recommendations of the Ceded Districts Irrigation Committee concerning the system of kudimaramat and the revival of derelict tanks.

2. The Collectors of Kurnool, Bellary, Anantapur, Cuddapah and Chittoor were consulted.

3. 'The Committee's recommendations in regard to the system of kudimaramat are-

(i) that the kudimaramat rules should be liberally interpreted ;

(ii) that berm cutting should be done at Government cost, and

(iii) that where, owing to long continued neglect or change in the regime of rivers, etc., the volume of work to be done is very large and beyond the means of the rvots, such works should be carried out at Govern-

ment expense and by Government Agency.

4. The works executed by kndimaramat in the districts concerned are those enumerated in paragraph 5 of Board's Standing Order No. 86. The Collectors' reports show that the kudimaramat system is working fairly well except in Kurnool district. Mr. Rama Rao (Kurnool) states that the grant of special concessions under precarious sources has led to a partial neglect of kudimaramat work in his district. He observes that as the ryots are charged on the crop (dry or wet) which they raise they find it more profitable to concentrate on raising dry crops and that they are therefore indifferent to the maintenance of irrigation sources in a proper state of repair. He recommends the abolition of the distinction between precarious and nonprecarious sources. The other Collectors have not made any such suggestion. The Board is not in agreement with Mr. Rama Rao on this point. The question of the retention of these concessions for precarious sources was fully discussed at the Collectors' conference in 1926. The view of the Commissioner of Land Revenue and Settlement which is given in the Board's review on the resettlement scheme for Auantapur (red soil taluks) was generally endorsed by Collectors with experience of the Ceded Districts. The Board has no doubt that the precarious sources rules have greatly benefited these districts. The dominant fact there is that the average season is a bad season. The Board must emphasize that the ryot in the Ceded Districts is as fully alive as any other to the advantages of bringing as large an area as possible under cultivation and he would not leave considerable extents waste if he could get a good crop off them. If as Mr. Rama Rao points out ryots are concentrating attention on raising dry crops the Board would welcome it as a good thing.

- Mr. Rutherford (Anantapur) suggests that the spring channels in his district should be considered as precarious sources and that the second crop charge under such channels should be reduced to a flat rate, in consequence of the high expenditure in money and labour involved in raising a second crop. The question is separately under the consideration of the Board and it will submit a report in the matter in due course.
- 5. The difficulty regarding the cutting of berms appears to exist only in Cuddapah district. The Collector (Mr. Sitaramayya) is in favour of the Committee's proposals. He states that after it was declared that the cutting of berms on the banks of river and spring channels was an item of kudimaramat the ryots have given up raising the silt and san to the ground level as the task has become stupendous. He recommends that Government may undertake the work and that Rs. 10,000 may be set apart every year so that the channels may be dealt with in rotation once in ten years. He also states that a similar amount may be placed at the disposal of the Public Works Department for the channels in their charge. The problem of berm cutting was examined in 1914 and 1919. In 1914 the Board agreed with the Chief Engineer that the cutting of berms was part of the silt clearance which should be done by kudimaramat labour. In 1919 the Board reiterated its views of 1914. It perceived no objection to Government doing the initial berm cutting at their cost but expressed itself as opposed to the proposal because ryots would not take the trouble of removing the wet sand thrown on to the berms so as to leave the berms available for further use. The problem of berm cutting seems to be serious in Cuddapah and the Board is disposed to relax its original attitude and come to the assistance of the ryots in the matter. The Board therefore supports the Collector's recommendation with a proviso. If Government agree, the Collector will be instructed to frame a programme for utilizing the sanctioned grant in conjunction in each case with a pro-rata contribution in money or work from the rvots.
- 6. As regards the execution of works rendered necessary by long continued neglect, the objection to the acceptance of the Committee's recommendation that Government should do the work is that the acceptance of long continued neglect as a valid reason for Government bearing the cost of the work would studify the kudimaramat system by putting a premium on neglect. Without kudimaramat, the task of maintaining irrigation sources would be beyond the capacity of any Government and without discipline there will be no kudimaramat. The best principle, in the Board's opinion, is that suggested by the Collector of Ahantapur, viz., that Government should not take the responsibility altogether out of the hands of the ryots but should come to their assistance where the work is beyond their reasonable capacity.

As regards the execution of works rendered necessary by changes in the regime of rivers, it cannot be said that Government have refused to shoulder the burden of executing such works at their cost whenever there was sufficient cause. The Board would invite the attention of Government to the case of the Kothapalle channel disposed of in G.O. Mis. No. 1449 I., dated the 8th October 1926.

7. With regard to the revival of derelict tanks, the Committee itself recognizes that no general rule can be proposed and that each case will have to be considered on its merits.

#### 13th March 1928]

Mr. Sitaramayya (Cuddapah) repeats this. Mr. Rama Rao (Kurnool) forwards a list of derelict tanks and states that the eases may be referred to the Public Works Department for investigation and restoration.

Mr. Crofton (Bellary) merely suggests the strengthening of the Minor Irrigation staff by the appointment of an additional overseer for one year in order to restore dereliot tanks as well as carry out ordinary repairs to Minor Irrigation works. An additional overseer for eight months has already been sanctioned.

Mr. Rutherford (Avantapur) states that the feasibility of restoring the dereliet tanks by handing them over on special rate tenure to irrigation societies formed on co-operative basis from which takkavi loans for the cost of repairs less 20 per cent would be advanced may be considered. He also considers that efforts may be made to induce the villagers to execute the repairs themselves on the understanding that Government will contribute such portion of the estimated amount as will secure 4 or 5 per cent on their outlay as a result of the restoration, the balance being contributed by the ryots themselves. The ryots may pay the contribution in cash or they may execute the sanctioned estimates, for the amount approved by the Collector as reasonable for the Government to spend. This seems to be the only sound suggestion made for dealing with the problem of abandoned tanks. If the ryots have also to put their money into a scheme, they will examine more carefully its potentialities and the possibility of returns than if Government alone were interested financially. In dealing with abandoned tanks in the Ceded Districts, the Board thinks that Collectors should be allowed considerable discretion even in cases where the direct return to Government is low, for there seems to be no doubt that the existence of even a small supply in a tank adds considerably to the holding capacity of the wells in the area under the tank. This discretion should be allowed more especially in cases where the ryots are willing to contribute to the restoration of the tank.

8. The Committee has suggested that a large maintenance grant should be given for the Minor Irrigation work in the Ceded districts as at present their condition is unsatisfactory. Increased allotments based on the Collectors' actual demands are now being sanctioned.

9. Government have recently approved the ravival of the Tank Restoration Scheme Parties. They have also directed that the Minor Irrigation staff should be freely used for the preliminary investigation of new schemes and of improvements to existing works. These, combined with the provision of larger allotments, will improve the situation.

### 10. To sum up-

The Board is unable to discover evidence that Kudimaraanat rules are worked illiberally or more strictly than is essential if the underlying principle of kudimaramat is to be retained.

It considers that an easy acquiescence in a plea for help to remove the effects of long-continued neglect puts a premium on future neglect.

It recommends a scheme of Government contribution towards bermentting operations in Cuddapah district where existing conditions appear to constitute a special case.

In regard to abandoned tanks, in addition to what has already been done in this matter, i.e., increased grants, formation of additional Tank Restoration Scheme Parties, etc., it would support the scheme put forward by the Collector of Anantapor, and further allow Collector's discretion to propose the restoration of derelict tanks even though the return to Government is low.

(2)

# G.O. Mis. No. 2463, Revenue, dated 30th November 1927.

[Subject.—Irrigation—Ceded Districts Irrigation Committee's Report.—Kudimaramat—Reconstruction of dereliet tanks—Orders passed.]

Read—Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2437, dated 1st September 1927.

Order-Mis. No. 2463, Revenue, dated 30th November 1927.

In paragraph 5 of G.O. No. 1973 I, dated 16th December 1926, the Government stated that the recommendations of the Ceded Districts Irrigation Committee in regard to kadimaramat and the revival of derelict tanks would be remitted to the Board of Revenue for consideration and report. The proceedings read above contain the Board's report.

2. Kudimaranai.—From the Collectors' reports forwarded by the Board of Revenue the Government observe that the kudimaramat system is working fairly well except in the Kunnool district. There are at present no special rules for the enforcing of kudimaramat but under Board's Standing Order No. 86, paragraph 5, it is the duty of the Collectors to see that the customary labour on irrigation works is performed in each village of their districts as authorized by section 6 of the Madras Compulsory Labour Act, I of 1858. The question of issuing more specific instructions to Revenue officers to ensure that kudimaramat is regularly done by the ryots every year is under the consideration of the Government, and separate orders will issue thereon in due course.

The recommendations of the Committee and the report of the Board of Revenue show that the main point for the consideration of the Government is whether the Government should undertake to pay anything towards the execution of works which the ryots have hitherto been made to undertake at their cost of which might conceivably be elassed as kudimaramat works.

(a) First must be considered the cases in which the execution of kudimaramat works is rendered necessary by long-continued neglect. The Board of Revenue states that the acceptance of long-continued neglect as a valid reason for Government bearing the cost of kudimaramat works would stultify the kudimaramat system by putting a premium on neglect. On the other hand, it may be contended that if the Revenue officials had been attentive to their duties they would have enforced the obligation of kudimaramat and not allowed the neglect to continue so long. On the whole the Government are of opinion that the following may be regarded as a general working principle. In cases where owing to long continued neglect for many years past during which period the Revenue officers have omitted to enforce the work of repair by customary labour an irrigation work involving considerable labour and expense has to be undertaken, the Government will be prepared to consider on the merits of each case whether any contribution should be made from Public Works Department or Minor Irrigation funds towards the cost of the work.

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- (b) With reference to the execution of works rendered necessary by changes in the regime of rivers the Board of Revenue points out that the Government have not refused to shoulder the burden of the execution of such works at their cost where there was sufficient cause. Exceptional works rendered necessary by changes in the regime of rivers cannot, strictly speaking, be regarded as kudimaramat works. Such cases should be reported by Collectors for the orders of Government after consultation with the officers of the Public Works Department.
  - (c) Berm cutting .- Orders will issue separately on this point.
- 3. Reconstruction of derelict tanks.—The Committee itself has recognized that no general rule can be proposed and that each case will have to be considered on its merits. The Government consider that the work of the Tank Restoration Scheme Parties in the Ceded Districts should embrace the investigation of the question of restoring the ruined and abandoned tanks in those districts. The list of derelict tanks forwarded by the Collector of Kurnool is accordingly forwarded to the Chief Engineer for Irrigation for investigation by the Tank Restoration Scheme Party working in Kurnool.

Resolution from the Board of Revenue (Land Revenue and Settlement), Mis. No. 2931, dated 8th October 1927.

[Subject.—Irrigation—Ceded Districts Irrigation Committee's report—Pumping with mechanical and electrical appliances.]

The Ceded Districts Irrigation Committee recommended that irrigation from wells and streams by pumping with mechanical and electrical appliances should be developed as a State enterprise. The Director of Industries takes it to mean that "pumping plants electrically or mechanically driven should be installed and maintained by Government and that water should be distributed to ryots and charged for in the same manner as is done with canal water".

- 2. The Board has consulted the Collectors of the Ceded Districts to which this recommendation in particular applied. The Collectors have to the extent of their knowledge indicated the localities where investigation might reveal an adequate supply of sub-soil water to supply a pumping plant. Their reports do not however suggest that as far as is known at present any substantial project will be possible. As the Collector of Chittoor points out "it is obviously no use setting up a pumping plant unless a fairly constant and abundant supply of water is available."
  - 3. Assuming, however, that investigation discloses the presence of a reasonable supply of sub-soil water or suitable river conditions for a pumping scheme, it still remains to be considered whether the State should undertake and run these projects as a public concern or whether it should leave them to be developed by private enterprise assisted in some way from the State's resources. Past experience of pumping operations undertaken by the State has not been invariably fortunate; as for example, the Gunjana pumping system—6.0 No. 1735, Revenue, dated 24th July 1915, and the Pratur Pumping system—6.0 No. 942, Revenue, dated 14th July 1922, and G.O. No. 104 I., dated 5th May 1923. It does not of course follow that a Government scheme would never be successful; but it is obvious that to

operate a pumping scheme without financial loss it is essential that the operations should be of a magnitude, e.g., in the island of Divi, for which opportunities are not frequent. The financing and running of a small scheme by Government seems financially out of the question. Irrigation by pumping is expensive. Mr. Rutherford for example reports that the Anantapur Municipal Water Works at its best pumps only 75,000 gallons a day. This, he estimates, would irrigate a wet crop on some 10 acres. He assumes that Rs. 25 is about as high a consolidated double crop wet rate as Government could at present impose and concludes that the income realized, i.e., Rs. 250 would not suffice to pay the cost of running the plant, much less interest on capital. The position apparently is that the expenses of which the ryet would at present be willing to pay would suffice to cover working costs. It does not, however, follow that a zyot or a combination of ryets could not work a similar scheme with profit to themselves.

- 4. There is another difficulty if the project be one of pumping from wells. In the majority of cases such wells would be sunk on private land. There is therefore the possibility of legal difficulties in lewying the full water-nate for water raised from wells on private lands. The Board is therefore of opinion that the recommendation of the Coded Districts Irrigation Committee is not feasible. It considers that pumping projects should for the present be left to private enterprise and that the State can best assist by (a) undertaking the preliminary survey of irrigational possibilities and indicating sites for sinking wells or installing ucohanical oppliances on the banks of streams or rivers containing copious springs as far as may be possible without damaging any irrigation there may be in the lower regious; (e) granting loans for sinking wells and the purchase of plant.
- 5. The question of locating the subterranean water-supply has been receiving attention. Government Order No. 337 L, dated 30th October 1924, summarizes the policy of the Government at the time and the Board in its preliminary Memorandum on Arrigation contained in B.P. No. 1311, dated 15th June 1926, has laid stress on the necessity for Government action in this matter. The Director of Industries proposes the entertainment of a special staff to ascertain the sub-soil condition by an examination of existing wells and putting down trial borings where necessary. A special staff of the Industries Department touring throughout the Ceded Districts and Chittoor might advise enterprising ryots or bodies of systs who agree to undertake such schemes. The information given by the Collectors of Kurnool, Anantapur and Bellary regarding the probable localities where experiment can be tried will give some indication to the staff where to start.

No remarks are required on sub-head (b) except to note that no cases in which ryots have been refused permission to pump water from public sources have been reported to the Board.

As regards point (c) above, special rules already exist governing the grant of loans for pumping iostallations for which the rate of interest is 7½ per cent. The Board considers that no further encouragement is at present necessary. It is hardly desirable to offer loans for this purpose at specially reduced rates to encourage the ryots to undertake pumping schemes while the conditions of subterranean water-supply are still uncertain.

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6. To sum up: The Board is of opinion that before Government commits itself to any other method of promoting irrigation by pumping with electrical or mechanical appliances, the first essential is as adequate and complete a survey of the surface and sub-soil water-supply as is possible.

#### APPENDIX II.

[Vide item X on page 71 supra.]

BILL No. 1 of 1928

# A BILL FURTHER TO AMEND THE MADRAS CHILDREN ACT, 1920.

# Report of the Select Committee.

To

# THE HONOURABLE THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

We, the undersigned members of the Select Committee appointed to consider the Bill further to amend the Madras Children Act, 1920 (Bill No. 1 of 1928), have the honour to submit the following report.

- The Bill was published in the Fort St. George Cazette in English on the 17th January 1928, in Tamil, Telugu and Kanarese on the 24th January 1928, and in Malayalam, Hindustani and Oriya on the 31st January 1928.
- 3. The Committee met on Saturday the 4th February 1928 and examined the provisions of the Bill.
- 4. They agree to the provisions of the Bill; but to improve the drafting, they would recommend that for

clause 2 of the Bill, the following clause may be substituted:

- "2. For sub-section (2) of section 35 of the Madras Children Act, 1920, the following sub-sections shall be substituted:—
  - (2) The Local Government may order --
- (a) a youthful offender under the age of fourteen years detained in a senior certified school to be transferred to a junior certified school;

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- (b) a youthful offender or child to be transferred from one senior certified school to another, or from one junior certified school to another;
- (c) a child over the age of twelve years detained in a junior certified school to be transferred to a senior certified school,
  - (i) when such transfer is for the welfare of the child, or
  - (ii) when the child is found to be exercising an evil influence over any other child or children in the school or is guilty of a serious breach of the rules of the school or of escaping from the school;
- (d) a youthful offender over the age of fourteen years detained in a junior certified school to be transferred to a senior certified school when a majority of the other children in the junior certified school are much below his age, or when there is not sufficient accommodation in the junior certified school;
- (e) a youthful offender over the age of sixteen years detained in a senior certified school to be transferred to a Borstal school established under the Madras Borstal Madras Act Schools Act, 1925, in the interest of discipline or for other V of 1928. special reasons.
  - (3) Upon the transfer of a youthful offender to a Borstal school under clause (e) of sub-section (2) above the provisions of the Madras Borstal Schools Act, 1925, shall apply to such offender as if he had been originally sentenced to detention in a Borstal school under that Act.
  - (4) The total period of detention of the youthful offender or child shall not be increased by any transfer under this section."
  - 5. A copy of the Bill as amended by the Committee is appended. The Committee consider it unnecessary to republish the Bill as no material alterations have been made in it.

M. KRISHNAN NAIR. Md. USMAN. T. R. V. SASTRI.

J. A. SALDANHA.

S. ARPUDASWAMY UDAYAR.

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[Note.—The changes made by the Select Committee are printed in clarendon type ]

# BILL No. 1 OF 1928.

A Bill further to amend the Madras Children Act, 1920.

WHEREAS it is expedient to further amend the Madras Preamble. Madras Children Act, 1920, and whereas the previous sanction Act of the Governor-General has been obtained to the passing 1920. of this Act; It is hereby enacted as follows :-

- 1. This Act may be called the Madras Children Short title. (Amendment) Act, 1928.
- 2. For sub-section (2) of section 35 of the Madras Amendment Madras Children Act, 1920, the following sub-sections shall of Madras be substituted :-IV of 1920. "(2) The Local Government may order

- "(a) a youthful offender under the age of fourteen years detained in a senior certified school to be transferred to a junior certified school;
- "(b) a youthful offender or child to be transferred from one senior certified school to another, or from one junior certified school to another:
- "(c) a child over the age of twelve years detained in a junior certified school to be transferred to a senior certified school.

(i) when such transfer is for the welfare of the child, or

- (ii) when the child is found to be exercising an evil influence over any other child or children in the school or is guilty of a serious breach of the rules of the school or of escaping from the school:
- "(d) a youthful offender over the age of fourteen years detained in a junior certified school to be transferred to a senior certified school when a majority of the other children in the junior certified school are much below his age, or when there is not sufficient accommodation in the junior certified school;
- "(e) a youthful offender over the age of sixteen years detained in a senior certified school to be transferred to a Borstal school established under the Madras Borstal Madras Schools Act, 1925, in the interest of discipline or for other special reasons; V of 1926.

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Madras Act V of 1926. "(3) Upon the transfer of a youthful offender to a Borstal school under clause (e) of sub-section (2) above, the provisions of the Madras Borstal Schools Act, 1925, shall apply to such offender as if he had been originally sentenced to detention in a Borstal school under that Act.

"(4) The total period of detention of the youthful offender or child shall not be increased by

any transfer under this section."

# APPENDIX III.

Vide item XI on page 72 supra.]

To

# THE HONOURABLE MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Ws, the Members of the Select Committee appointed on 21st October 1927 to consider certain draft amendments to the Standing Orders of the Council given notice of by the Advocate-General, beg to submit the following report.

 We met at 11 a.m. on Thursday the 3rd November 1927 and again at 5-10 p.m. on Monday the 23rd January 1928. The amendments are considered below seriatim.

3. Amendment to Standing Order 9 (1).—Add the following at the end of Standing Order 9 (1):--

"Such notices may be left at the Council Office even when the Council is not in session or has not been constituted. The notices may also be left by a member, elected or nominated, even before he is sworn in."

We accept this amendment but would shorten its . language as follows:—

"Such notices may be left at the Council Office even when the Council is not in session or by a member even before he is sworn in."

4. Amendments to Standing Orders 37 and 38.—
1. "Add the following as clause (2) of Standing Order 37 and number the existing Standing Order as clause (1) of that Standing Order:

"(2) If the Council agrees to such a motion, the Scoretary shall send a copy of the Bill to Government in the Law (Legislative) Department for publication in the First St. George Gazette."

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II. In Standing Order 38 (1) after the words 'published in the Gazette' insert the words 'under the preceding Standing Order or under rule 18 of the Madras Legislative Council Rules'.

III. Add the following proviso to Standing Order 38 (1):

"Provided that where printed copies of the Bill have been furnished to each member of the Council, not less than six days before the motion for leave to introduce a Bill is made under the preceding Standing Order, the member in charge may, immediately on such motion being agreed to by the Council, introduce the Bill."

The Advocate-General has since given notice of certain there amendments to Standing Orders 37 to 39 and these latter amendments have been adopted by the Council on the 25th January 1923. We consider that the draft amendments extracted above have now become unnecessary and recommend that they be not proceeded with.

C. V. S. NARASIMHA RAJU.

T. R. V. SASTRI.

S. MUTHULAKSHMI REDDI.

S. N. DORAL RAJAH.

B. MUNISWAMI NAYUDU.

MAHMUD SCHAMNAD.

B. RAMACHANDRA REDDI.

